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Elite theory and the 2003 Iraq Occupation by the United States – genuine democracy promotion or self-serving elites?

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Declaration:

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Abstract

The Iraq War is one of the most widely documented wars in history. The repercussions are still being felt to this day, and the real reasons behind the war remain unclear. Bringing democracy and human rights to free the Iraqi people from the dictatorship of Saddam Hussein was the United States of America's promise. However, many would say theory did not meet practice, and therefore the question arises of whether the war had an alternative or hidden agenda. For this study, the question is whether the decision-making elite of the United States of America (US) intended to dominate and control Iraq in both the short and long term for the benefit of their own interests, or whether the US decision-making elite intended to bring democracy and a system which protected the rights of Iraqis as broadcast to the world.

The doctrine of elite theory argues that in every society there is inevitably an elite minority of the population in existence, who dominate and exploit decision-making to serve their own economic interests. This dominant elite minority cannot be controlled by the majority regardless of the democratic mechanisms that exist. Once elites are in decision-making positions, combined like-minded individuals, regardless of internal division, work together to dominate the decision-making process. Elite theory comprehensively describes the actualities in the war, occupation and legacy of democracy in Iraq. Elite theory explains the actions of the US elite decision-makers who went to war and occupied Iraq using democracy promotion as a cover for serving their own interests. Additionally, elite theory explains the political system of Iraq that came as a direct result of the US intervention. The US elites had two main goals in Iraq; firstly, to privatise the Iraqi state through creating a new free-market friendly constitution. Secondly, the US elites intended to outsource the rebuilding of Iraq to US corporations of which they were directly associated with. To facilitate the process with legitimacy inside Iraq, the US had pre-selected a group of Iraqi elites to govern Iraq in the interim and to write Iraq's new constitution. The Iraqi elites would represent Iraq's diversity, whilst maintaining support for US elite interests. However, the intended plans did not come to fruition. The US elites managed to outsource the rebuilding of Iraq to corporations they were associated with for as long as they could but failed to achieve their primary aim in establishing a functioning free-market democracy. One of the reasons for the failures of the US in Iraq was the great resistance that formed against the selection of Iraqi elites by the US elites, which subsequently forced them to immediately rethink their decision-making. Once the Iraqi populace understood the US privatisation agenda and their lack of commitment to democracy, an insurgency began and eventually forced the US into an early exit. In the process US elite decision-makers benefitted directly from the war and occupation whilst great detriment was bought to Iraqis who

were left with a new authoritarianism. Iraq's new political system would be dominated by the original Iraqi elites that the US had supported before the war and undemocratically selected into the Iraqi Governing Council.

Elite theory will be used to establish whether the backgrounds of US elites who made decisions in Iraq affected not only their pathway to their decision-making position, but also more importantly, their decision-making processes. An important question is whether there was a self-serving elite that dominated US foreign policy regarding Iraq and if so, who were they? How did their backgrounds affect their decision-making process? Based on studying the decision makers, what would I expect them to do on the ground in Iraq, and what did they actually do on the ground in Iraq? Did they have common interests in Iraq and if so, how and why? What does the existence of this elite mean for democracy in the US, and democracy promotion in Iraq? Another momentous question is whether the decision makers regarding the Iraq War directly benefitted financially from the war. If so, is US foreign policy corporate foreign policy? This study will examine whether the 2003 Iraq War and occupation was a case of elites serving their own self-interests or whether they were committed to democracy promotion as they declared to the world in selling the war. Media-projected intentions and realities broadcast to the world by the US were completely different to the actual reality on the ground in Iraq.

Chapter 1: Introduction

Introduction

The US had an alternate undeclared agenda in Iraq that unravelled in questionable, irregular and imperceptible ways. It is only when these isolated but related actualities are analysed together, that the dominant intentions of the US elite decision-makers can be acknowledged and understood. This study is a journey of two worlds; one that was declared and professed, and one that was mystified and hidden. In examining the undisclosed agenda, this study will seek to establish the intentions of US elite decision-makers in Iraq through assessing their decisions. US elites used democracy promotion as a cover to legitimise the occupation, whilst the real aim of the occupation was to create a functioning free-market democracy through intense privatisation. However, the repercussions of this privatisation agenda on the Iraqi people, alongside the undemocratic decisions by the US in Iraq and a rushed and divisive constitution created an insurgency that forced the US to leave Iraq. Put simply but boldly, in the occupation of Iraq, the US elites aimed to distract the interim Iraqi Government (Iraqi Governing Council (IGC), Iraqi people and the world with constitution-making. Meanwhile the US elites were portraying that they were prioritising the rebuilding of Iraq, dealing with Iraq's humanitarian needs and restoring normality in Iraq. Instead, the Coalition Provisional Authority (CPA) was ruthlessly privatising Iraq's economy, in a process where chaos, a shattered infrastructure and the failings of basic needs of water and electricity were utilised and capitalised upon in what resembled a type of shock therapy[1] intended to enforce US goals in Iraq. The interests served in this equation were the interests of US corporations, on whose behalf US elites made decisions and therefore made copious amounts of profits in the process. The idea was that after consistent, deliberate and excessive bombings constituting a shock therapy, the debilitated Iraqis would be on their knees and ready to welcome the new order, or at the very least accept it. The Iraqis without public services, jobs and security would therefore be in a position to desperately embrace and accept a new and imposed order in the disguise of a solution. This solution would be through the privatisation of Iraq's economy, which would be portrayed to solve the problems and nightmares caused.

The distraction was effective enough to serve immediate US elite interests, as solving the created problems commenced with rebuilding Iraq, which was to be done through private corporations (the majority being from the US). The contracts were awarded without bids, competition, qualification or accountability which effectively witnessed the US make back all the tax payer money it spent on

[1] Klein, N. (2008) *The shock doctrine: The rise of disaster capitalism*. London: Penguin.

the war (and more). This study will show that the US (and the CPA therefore) did not serve the interests of the Iraqi people in the decisions they took, violating international law and United Nations Security Council Resolutions (UNSCR). Instead, it was the interests of US elites that prevailed in the end. When referring to US elites serving their own interests, this is the notion that elites have imperial corporate goals, with embedded corporate mentalities and that they use US foreign policy to achieve those goals. This affirms the use of elite theory which explains that US foreign policy is dominated by a wealthy and exclusive elite. This develops into US foreign policy being heavily influenced by corporation interests, which aims for more profit through wider transnational presence and dominance.

Almost every decision the US and the CPA took had significant detrimental effects, but this was not a great concern. The main intention was maximising and transferring profits back to the homeland and creating jobs for the US corporations. Almost every fundamental need of Iraqis was overlooked, with evidence that the more the US elites looked at the situation on the a ground with a mentality that the more disastrous the situation, the more money to be made.

This study will also illustrate the failure of the main US objective: to privatise and recreate Iraq as a free-market and flourishing democracy. Instead the distraction was uncovered, initially by the Iraqi people, who were ultimately on the ground with the US and were less easily convinced through distraction politics of all forms (whether it be through written or visual publications). The awakening of the Iraqi people, their understanding of what was taking place, and their reaction was reflected in protests that started in 2003. The protests eventually turned into the 'Islamic State of Iraq and al-Sham' (ISIS) a decade later. This study will show how poor post-war planning, underestimation, and Orientalist US attitudes, ultimately polluted the perceptions of the reality that they were facing in Iraq. This study will also illustrate how Iraq was the pioneer of establishing the newest market that is flourishing in the Middle-East today. The aftermath of war, destruction and chaos is more profitable than democracy promotion and the spread of free-market capitalism.

In terms of the promise of democracy and its legacy in Iraq, this was not delivered. The US had pre-selected a diverse group of Iraqi elites, intending that these Iraqi elites re-write Iraq's constitution and be given the power to govern Iraq. However, once the Iraqi populace became aware of the US privatisation agenda and its undemocratic decision-making in selecting Iraqi elites as opposed to free elections, a resistance formed which coerced US elites to reconsider their decision-making**.** As soon as the US selected the Iraqi elites for Iraq's interim government (Iraqi Governing Council), attacks on the US began. A re-think in US decision-making took place regarding the way the constitution was to be written, but this did not prevent the original US-backed Iraqi elites from

having the final say on Iraq's constitution or from dominating Iraq's political system for the next fourteen years. A key legacy of the US intervention was the domination of Iraq's political system by Iraqi elites that the US had worked with before the war. These Iraqi elites are divided based on sect, ethnicity and religion, but united in dominating Iraq through sharing key ministerial positions that control budgets from its natural resources. As US elite decision-makers benefitted directly from the war and occupation, great detriment was bought to Iraqis who were left with a new authoritarianism.

Democracy promotion was the broadcast intention of the US and used as a cover to legitimise the occupation by elites who were serving their own narrow financial interests. The initial step was through the liberation of the Iraqi people from a dictatorship, through a democratic system that respects the rights of all Iraqis. This began with the US influenced 2005 constitution: the constitution has failed, the ambiguity of the document has been abused, and its lack of provisions and sectarian divisions have been manipulated. The democracy in Iraq is similar to the rest of what Iraq went through after the 2003 war: neglect, overlooking and clear cases of omissions which resulted in a failure to effectively assist by those who decided to invade, occupy and eventually leave. This study claims that the Central Government of Iraq (CGI) is not only unconstitutional, undemocratic and significantly flawed in procedure, but that its failure was inevitable. The failure of the CGI was a destiny that was sparked and provoked by the constitution of 2005. The poorly written document was rushed, divisive and illegal as the chapter on the making of the constitution will illustrate (Chapter 4). The same themes that appear in the making of the constitution also appear in the democracy it gave birth to, in which twelve years of its existence is examined in this study. The political system of Iraq which was decided based on sect, is a phenomenon that is consistent with US and British imperial history, that is 'divide and conquer' (see imperialism theory later in this Introduction). The sect-based system that decided positions based on sect and ethnicity meant that uneducated, unqualified and corruption prone individuals took key posts that ultimately affected the lives of millions of Iraqis.

It was before the war that the US had pre-selected the group of Iraqi elites, who they believed represented Iraq's diversity. These Iraqi elites were placed undemocratically into Iraq's Governing Council and then ended up dominating Iraq's highest positions of authority for the next sixteen years. These divided opposition groups united to dominate Iraq through sharing key ministerial positions that control budgets from its natural resources. Although divided heavily based on sect, ethnicity and religion, the Iraqi elites are in agreement over sharing the domination of Iraq's resources. This is done through the control of Iraq's ministries which are distributed based on post-

election political allegiances that develop to form government. The mechanics of this power-sharing system is illustrated by coalitions of oligarchs who hold influence through their use of state institutions for the process of distributing favours to clients. The sect-based government has witnessed numerous political parties auction government procurement contracts or set up shell companies and award contracts to loyalists and themselves, which in turn become either sub-contracted or never fulfilled, with funds being siphoned by beneficiaries. This has enabled huge reconstructions funds to benefit a minority Iraqi elite, who although divided, are unified on the pursuit of domination and control of Iraq through its resources. These elites dominate Iraq through the control of the public sector which is heavily inflated with salaries that amount to 80% of some ministries budgets.

The elites maintain dominance in this system based on two important factors, despite growing calls for reform based on corruption, inequality and marginalisation. Firstly, in acknowledging that elites are deeply invested in maintaining the status quo, it needs to also be acknowledged that major politicians and their appointees are viewed representatives of the communities they embody. This helps to maintain elite dominance as any investigations against poor performance of elites is often perceived as a form of attack against the sect or ethnicity that is being represented.

Iraqi elites who attained posts in a culture of nepotism, exacerbated the already difficult situation in Iraq. Instead of improving it, poor decisions that affected public services of Iraqis along with the marginalisation of Sunnis for over 11 years since 2003, eventually led to ISIS. The fact that constitutionally everything mentioned above was able to take place with little or minimal accountability, spells great danger for Iraq's future with a potential need for the reproduction of the constitution.

With regards to the democracy left in Iraq: the federal system, the ambiguity of regional powers and the CGI has caused a dysfunctional, unaccountable, ruthless and manipulative political class of two majority ruling parties in the Kurdish region. Both the Kurdish Region of Iraq (KRI) and the CGI block, manipulate and undemocratically regulate political opposition, contradicting the principles of the democratic and free system that was promised. The fact that in 2017, the KRI (after 14 failed years of dialogue after the war) held a referendum for nationhood, through independence from Iraq permanently on the 25th of September 2017, illustrates the failure of the federal system that was implemented by the US. The ideology of unity through sect participation has caused a paralysis in the development of Iraqi politics. Politicians do not compete to advance the nation, instead they are engaged in sectarian warfare which the nation has observed and embraced. This is a legacy left by the US, in failing to establish an effectively functioning political system. Freedom of speech, for

the civilian population and journalists is non-existent and those who speak out against the government are targeted and often killed, as the same goes for protesting. On the whole, the democracy in Iraq is one that exists only in theory. Even the constitution's theoretical mapping of how the nation is to be run can also be questioned, with numerous controversial clauses and ambiguities. Therefore, if the US did wish to bring a democracy to Iraq that protected and upheld constitutional rights for Iraqis, enabling equality for all, then they have ultimately failed.

What this study gives evidence to, is that the actual basis for the intervention (bringing democracy to Iraq in a system that would protect the rights of all Iraqis) was not prioritised, and consequently failed. Therefore, democracy promotion was a fabrication and the promises made were not delivered, leaving a failed democracy in Iraq. Ironically, what did prevail was billions of dollars were made for US transnational corporations, where priority was given to initiatives where the US elites could serve their own interests. These began with a campaign that witnessed a meticulous and powerful effort by the US to destroy and recreate an Iraq that would serve US interests. However, as this study shows that although this was the intended outcome for the US (through analysing the decisions made on the ground), the desired outcome was not achieved, as Iraq did not become what the US intended it to be.

The aim of US elites was to create a privatised state, open to mass-privatisation in a free-market for all foreign corporations to operate in, where the socialist state was replaced by private sectors. However, this was the long-term goal which failed. The shock therapy and human experiment failed. Instead the outcome was that Iraqis read what was occurring and resorted to taking their own lives just to end the occupation. This eventually spread like an epidemic to such an extent that the intended fertile ground for capitalism, became a place where private corporations could not operate. The private corporations were eventually forced to leave, due to lack of security and therefore profitability. The insurgency carried on until it became ISIS, which started in Iraq with the Sunnis who felt marginalised, and therefore felt that they did not belong to Iraq anymore. Per contra, this does not mean it was complete failure for US elite interests. Financial interests were served significantly. US corporations despite the above, were still able to bring enormous amounts of profits (through the acquired contracts) back home, as a return for the initial investments made, that went towards rebuilding Iraq.

Chapter Structure

The structure of this Introduction chapter will be to begin with a summary of the key themes of imperialism, democracy promotion and elite theory. In identifying the issues in the existing literature, I will indicate how my study will contribute to each field, asserting and affirming the need for my study. I will then review the literature (selected based on significance and relevance), before concluding the material. I will finish this Introduction with chapter outlines for the rest of my study.

Imperialism background

One of the key characteristics of elite theory is that the elites are imperial, therefore the literature on imperialism is crucial to review. There is a cornucopia of literature available on *'empire'* and *'imperialism'*, covering numerous discrepancies in the actual definitions and contextual definitions. Alongside this fact, there are also similarities and consistencies in the definitions. The aim of this Introduction is an attempt to understand imperialism in modern times, and to review the literature available to comprehend whether the US is an *'empire'* or an example of '*hegemony',* more importantly the aim is to understand the nature of US imperial power.

Current studies on imperialism fail to adequately describe the nature of US imperial power in the world today. Additionally, although studies do classify the US as an empire, this has been based purely on judgments made when looking at distant actions of the US.[2] If one looks at the actions of the US from a distant point of view, it looks like an empire absolutely. However, an adequate explanation of the nature of these actions is caught in overlapping arguments, making it difficult to provide adequate substance.[3] To make the debate more interesting, the US has never admitted they are an empire, nor have they admitted imperial ambition, causing scholars to be left with polar opposite views. One view is to boldly label the US an empire or imperialist absolutely, without studies that give adequate substance on the mechanics regarding the nature of US power. The other view is that the US is hegemony, arising from those who are hesitant to label the US as empire.[4]

The current literature on US imperialism and defining US actions can be categorized into two separate but related points. The first issue is one that is definitional; in the sense that scholars place an over-excessive focus on the issues in defining, redefining and comparing terms on a purely

[2] Mann, M. (2003) *Incoherent Empire*. London, Verso., and see also Johnson, C. (2004) *The Sorrows of Empire*: *Militarism, Secrecy and the End of the Republic.* London, Verso.
[3] Panitch, L. & Gindin, S. (2004) Global Capitalism and American Empire. *Socialist Register, The New Imperial Challenge.*
[4] Agnew, J. (2005) *Hegemony the new face of global power.* Philadelphia, Temple University Press.

abstract basis. I argue that scholars give excessive focus to the linguistics and try to apply old terms to new events and actualities. Here, the notion of 'trying an old key in a new door' comes to mind. This focus on the definition, then causes a vacuum in the areas that in my opinion need more concentration and deeper analysis i.e. the nature of the actions of the US on an individual and then collective basis. Given the fact that the most documented war in history took place (the Iraq War), this has made possible such an examination, which my study will provide using elite theory to bring more substance in this area.

Secondly there is an over-emphasis on the bipolar disorder in the arguments that attempt to explain US actions. The implication is that studies remain distant and generic, lacking convincing substance or making new contributions regarding the nature of US imperialism. Either scholars over-use and boldly declare the US as an empire and imperialist without adequate substance that backs up their arguments. Alternatively, scholars seem to shy away from labelling or declaring the US an empire and instead fall for the safer concept: a hegemon. Again, both issues seem to be linked to the root singular issue where there is a lack of close examination of events and an individual treatment of the US case. By individual treatment, I mean to treat the US as a unique case on its own accord, and not to compare the US to past empires. I also advocate that applying classic definitions of empire, do not always apply to new and unique actualities. It seems that either scholars are too bold and over confident, or they lack confidence. I therefore argue that as it stands the current literature fails to show that the US is imperial adequately with substance to give evidence to the claims. This is something my study will effectively do. Using elite theory to examine the nature of US imperial power, my study will examine US decision-making in occupation.

My contribution to Imperialism literature

My study will establish the nature of US imperial power using elite theory to establish whether US elites in Iraq served their interests or whether they genuinely prioritised the democratisation of Iraq. In the process my study will contribute to the existing literature by providing a meticulous empirical account of US decision-making in the occupation of Iraq. This will be done by analysing and evaluating whether US elites acted to serve their own narrow interests or in the interests of the Iraqi people as promised and as directed by international law. By the end of my study, the reader will be able to conclude that not only is the US imperial, but that its imperial ambitions are a result of years of planning, and that US foreign policy is made by elites who have corporate mentalities and serve embedded corporate interests.

Democracy promotion

In justifying war and occupation to serve elite self-interest, US elites use democracy promotion to cover their self-serving agendas. Democracy and the spreading of democracy has become a term boldly referenced in foreign policy as a justification for intervention, and as a system promoted by nations predominantly in the western world. Democracy promotion (DP), its systematic spread and popularity have been attributed to the influence of the US since the beginning of the 20th century. The notion of DP and its investment has become more global in contemporary times through the notion's popularity, and the consensus amongst the majority of the world's nations that it is the ideal form of government. However, the inconsistent stance of the US in the methods it uses and the types of democracy it promotes, has generated criticism and query into what is actually being promoted and how.[5] One of the reasons for the examinations of DP is that questionable wars have been justified through reason of promoting democracy, decimating many governments strategically but causing mass displacement and instability in areas of projected DP globally.[6] One of these nations is Iraq, where the US justified the war and intervention, by promising stability in the region through the spread of democracy. However, 15 years on from the invasion the difference between what was promised and what was delivered are completely different. Hence, there is a need to examine DP in Iraq, to bring understanding to the question of whether Iraq is unique or similar to historical cases of DP by the US.

I believe that DP is an unsustainable justification for invasion and is more of a veil for elites to serve their own self-interests. I believe that the inconsistency of DP by the US needs to be acknowledged as the US has been very selective in where it has applied DP. Numerous authoritarian regimes around the world have been backed and supported by the US historically. Additionally, the US has historically failed to bring the democracy it has promised to deliver; illustrating how democracy could not be the prioritised aim. I argue that DP rhetoric and justifications silence questions of intention and legality, posed by adversaries and critics that oppose US interventions in foreign nations. Furthermore, the type of democracy promoted by the US has been enough to open the subject nation's economy for free-market penetration and privatisation. However, the democracy promoted has been inadequate in serving the definition of democracy itself, in giving power to the people. I also argue that stability and serving its own economic self-interests are the goals of the US. In order to achieve stability, where it has needed to, dictators and authoritarian regimes have

[5] Gills, B. & Rocamora, J. (1992) "Low Intensity Democracy", *Third World Quarterly*, 13(3), pp. 501-523.
[6] Smith, T. (2011) "From Woodrow Wilson in 1902 to the Bush doctrine in 2002: Democracy promotion as imperialism", *International Politics* 48(2-3), pp. 229-250.

been backed by the US historically. I believe the questions around DP should not be whether the US promotes democracy. Instead I believe the question is; 'what is the US goal or aim in the particular instance of DP?' along with 'what does the curtain of DP cover or sanctify for the US in that particular moment or era of policy?' The question I believe, can never be whether there is DP, but whether the DP is the primary aim as stated by the US. This can only be identified when analysing US decision-making in nations where it has intervened in the name of DP with a focus on examining what the US did on the ground simultaneously to 'promoting democracy'. What the US does simultaneously to promoting democracy on the ground, will be a substantial indication of the primary reasons for intervening. If the empirical evidence of US actions on the ground illustrate elites to be prioritising their own self-interest, and inconsistent with the promise to deliver a functioning democracy, then DP is an unsustainable reason for intervention. In such a case, the empirical evidence will indicate what the main reason(s) for intervention was through analysing planning, actions and outcomes in the occupation of Iraq. This study will accentuate all the matters presented in an elaborative manner.

The literature review (below) will examine the notion of DP to establish how democracy has been promoted, and whether DP is a political veil for an alternate agenda. The questions in this study, will not look at whether democracy is being promoted, as the answer is obviously 'yes'. The important question to ask is what type of democracy is being promoted? The underlying examination aims to find out what type of democracy is specifically being promoted? Does it focus on democratic means of decision making in all areas? Or is there a stress and focus on promoting free-markets and privatisation?

The true intentions that lay behind DP, can only be established when looking at the actions of the US in the nations where they intervened in the name of DP. Only when looking at trends of consistency in the promises made and the actions taken, can it be determined whether the US foreign policy is made by and servile to a dominating minority corporate elite. This review will also establish what the various democracy types are, in order to then measure what was brought to Iraq.

My contribution to DP literature

In terms of my study, I will assess DP in the Iraq war to give a fair empirical assessment of what type of democracy the US promoted, what planning they put into Iraq's post-war strategy for democratisation and to what extent this was matched by actions on the ground in Iraq. I will do this by looking at the political system that was created in Iraq, starting with the constitution and the

aftermath that followed. I will then examine the actions and omissions that contributed both positively and negatively to the processes of DP in Iraq. I will contribute to the existing literature by establishing whether DP was the main reason to invade Iraq by measuring the legacy of the democracy that was left after the transfer of power (Chapter 6). The other Chapters of my study (Chapters 4 and 5), combined with the democracy Chapter (Chapter 6) will establish whether DP was a cover for an alternative agenda of serving US elite economic interests of privatisation (amongst other interests).

Elite Theory

Elite theory helps us answer important questions regarding the consistency of US foreign policy. How can a nation so dynamic and transitional in constantly changing political parties and administrations, still be so consistent with its policies for over a century? Elite theory provides a very good explanation in this regard.

The *'Power Elite'* (Elite) is another controversial term, possibly even more so than *'imperialism'* that also happens to beleaguer the analysis of the US, and therefore brings great obscurity and enlightenment (simultaneously) in the existing literature. Elite theory plays great importance when trying to link together the puzzles of questions regarding the following: who really makes decisions in the US? Is the US a democracy itself in the way it makes decisions? Why is US foreign policy so consistent in terms of war, invasion and domination since the early 1900's despite the ever-changing Presidential Administrations and Parties? Is the struggle in the US really for DP or is there an ulterior motive? Where and how does US foreign policy really originate, from the disorganized masses or an organized minority? Elite theory answers this question by stating that in a nutshell; the US has a secretive, inconspicuous group of individuals who determine and make decisions on US foreign policy.[7] These groups of individuals keep their reign supreme through passing down their ideologies via sophisticated means and have managed to maintain US foreign policy consistency since the early 20th century, especially since 1945.[8] Simply put, elite theory is crucial in order to understand the nature of US imperialism, because this exclusive group of individuals are imperial in their agendas, this is a key part of what my study will seek to examine. I argue that in order to effectively explain the nature US imperial power, it is essential to understand those who influence US foreign policy and what the nature of their decision-making looks like on the ground. The notion that elites have imperial corporate goals, and that they use US foreign policy to achieve these goals, provides a substantial explanation for the intended outcomes of US imperialism, and the way that

[7] Shoup, L.H. & Minter, W. (2004) *Imperial brain trust: the Council on Foreign Relations and United States foreign policy*, Authors Choice Press, Lincoln, Nebr.
[8] Barnet, R.J. (1973) *Roots of war*. Penguin, Baltimore, Md.

the US asserts its power.

My Contribution to the field of elite theory

The application of elite theory to the Iraq War is one of the original contributions to the field of elite studies that my study makes. My contribution will examine the priorities of US decision-makers in occupation to determine whether their intended outcomes are self-serving or not. The elite theory aspect of my study will profile US decision-makers in the Iraq occupation in identifying what type of backgrounds they were from, what they had in common, and based on this; what would I expect them to do when making decisions in Iraq? My expectations will then be examined in the case of Iraq to understand whether theory met practice in the occupation. I will contribute to elite studies by addressing the repercussions that the existence of an exclusive elite would have on US democracy domestically, as such means of decision-making are against the notions of democracy. It would be a great implication for DP, if the US themselves are not democratic (to be discussed in the Chapter 3). In the process an important question will be addressed regarding whether a foreign elite can constitute a benign force for democracy promotion abroad.

Literature Review

Now I will review the key literature on imperialism, democracy and elite theory (in the stated order), based on selected texts and arguments by noteworthy scholars. I will start with Imperialism, then move on to DP, and finish with elite theory which will bring all the reviewed concepts together.

Imperialism Literature

For the purposes of this literature review of imperialism, I will briefly discuss the definitional implications of imperialism. The focus of this review will be on the main issues and points, with regards to the US association with empire. I will provide a brief summary of the actions of the US for almost a century, followed by a highlight of the key arguments posed by scholars and academics, along with a brief analysis of the key issues.

The aim of this section is to understand imperialism in the post-colonial era by providing a brief context of its definitional history before this period through an examination of key literature. The aim will be to produce a definition of imperialism that can be applied throughout the thesis. The structure will be to look at the definitions of imperialism and empire before looking at the acts of the US, in the process the key arguments and debates will be analysed.

'Imperialism' is a term that is very closely associated to *'empire'* and *'colonialism'*, but it has to be made clear that these three terms, though related are distinguishable. The actual word *'empire'* had originated from the Latin term '*imperium*' which was originally used when referring to the ability of making laws within a grounded territory.[9] As the size of a territory expanded to surpass borders during the Roman Empire, the term *imperium* transformed to encapsulate rule over extensive, long-range territories; which surpassed the borders of the 'homeland' of the rulers.[10] This definition of *'empire'* is relative to that of *'colonialism'* which was developed in the 19th century, referring to a ruling system by one group or another with the first claiming a right which is gained through conquest, to exercise exclusive sovereignty over the second to shape its future destiny.[11] *'Imperialism'* is commonly used in modern times to reference the processes where empire is maintained and expanded. Historically the term became popular in the latter stages of the 19th century with Napoleon III and his failed expansionist policies of the 1860s.[12] The term transitioned to become a way of describing the politicians who were keen supporters of imperialism in the British Political system, these where Salisbury and Disraeli who were eager to increase their reign of power and control over and beyond borders.[13] Then the 1880s witnessed a wave of colonial expansion which attracted Marxist and liberal critiques, which absolutely outlawed what was known as an *'age of imperialism'* at the time.[14] '*Imperialism'* developed further to also mean the exercise of authority through direct battle or through political and economic influence that amounts to a very similar form of domination.[15] *Lenin's View of Imperialism* is crucial to reference especially in the post Marxist era of views towards imperialism. Lenin's study: *Imperialism: The Highest Stage of Capitalism* (1917) defined imperialism as "*capitalism in that stage of development in which the dominance of monopolies and finance capital has established itself; in which the export of capital has acquired pronounced importance; in which the division of the world among the international trusts has begun; in which the division of all territories of the globe among the biggest capitalist powers has been completed."* [16] It is important to note that during the inception of studies in imperialism, the definitions were not solely focused on territorial gain and that capitalism, financial gain and expansion also entered the equation due to the spread of capitalism.

It can therefore be noted that the definitions in the early days of *'imperialism'* were always mutating in meaning, parallel to the also transfiguring physical modes of the '*imperialism'*

[9] Kiely, R. (2010) *'Rethinking Imperialism'.* Basingstoke, Palgrave MacMillan, p.2.
[10] Howe, S. (2002) *Empire; A very short introduction.* Oxford University Press, p.13.
[11] Ibid, pp.30-31.
[12] Kiely, R. (2010), pp.2-20.
[13] Ibid.
[14] Young, R. (2001) *PostColonialism.* Oxford, Blackwell, pp.25-30.
[15] Ibid, p.27.
[16] Lenin, V. I. (1917) *Imperialism: The Highest Stage of Capitalism: A Popular Outline.* Beijing, Foreign Languages Press, p.106.

processes and the aims that it sought to achieve. The key transition here is the shift in definition from territorial reign and control, to mere control and influence. It can now be said that influence does not have to be border to border. It is evident that over time, imperial powers developed and found more efficient ways of exercising control over subject nations without being physically present in that nation, this is known as *'neo-imperialism'.*

Nkrumah stated that *"the essence of neo-imperialism is that the state which is subject to it is, in theory, independent and has all the outward trappings of international sovereignty. In reality its economic system and thus its political policy is directed from outside."*[17] Therefore neo-imperialism needs to be distinguished traditional and geopolitical classifications of *'empire'* and '*imperialism'*, which focus more specifically on territorial annexation and control. Gramsci's use of 'subaltern' theory illustrates that for a group to dominate (dominant group) over subordinate groups, alongside a 'unison of economic and political aims', there needs to moral and intellectual unity through the supremacy of a social group which would manifest itself through domination and as intellectual and moral leadership.[18] Gramsci uses the term 'subaltern' to describe the working class (proletariat), slaves, peasants, women, different races religious groups in society that are marginalised or subjected to the hegemon or dominant group.[19] It is relevant to understand that as capitalist domination is enforced and maintained in civil society through bourgeois hegemony, a set of ideological practices legitimise economic practices to achieve these goals.[20] However, the subaltern classes who are subjected to the initiatives of the dominant class can rebel through counter-hegemonic practises that provide alternatives against the moral and intellectual leadership that reinforces capitalism. Anticipation of resistance and counter-hegemony and how elites use this to achieve their goals be revisited later in this study (Chapter 3).

Neo-imperialism can be connected with the concept of informal empire and the process that economic control and dependencies are effectively used to diminish the effective sovereignty of subject states without the need for de-facto territorial occupation or control.[21] This accentuates that definitions have constantly transformed in meaning, descriptions and nature. Therefore, it is important to observe the more modern definitions of imperialism.

'Imperialism' has also been defined by Doyle as the formal or informal regulation of a subordinated society by an imperial society.[22] Doyle elaborates and expands to state *'Empire is a relationship, formal or informal, in which one state controls the effective political sovereignty of*

[17] Nkrumah, K. (1966). *Neo-colonialism: The last stage of imperialism*. New York: International Publishers, p.xi.
[18] Gramsci, A., Hoare, Q., & Nowell-Smith, G. (1971) *Selections from the prison notebooks* of Antonio Gramsci, London, Lawrence and Wishart, pp.181-182.
[19] Gramsci, A. (1975) Quaderni del carcere. 4 vols. Ed. V. Gerratana. Turin, Einaudi Editore.
[20] Holub, R. (1992) Antonio Grajsci: Beyond Marxism and Postmodernism. London, Routledge, p.103.
[21] Thompson, A. (1992) Informal empire? An exploration in the history of Anglo-Argentine relations, 1810-1914. J *Latin America Studies* 24(2):419–436.
[22] Doyle, M. (1986) *Empires.* Ithaca, Cornwall University Press, p.30.

another political society.'[23] Doyle states that this can be through coercion, political collaboration or economic, social or cultural dependence, and concludes that it is simply the process of establishing or maintaining empire.[24] It can be said that the definition that Doyle provides is arguably the most relatable and comprehensive in terms of being able to apply it to the contemporary era.

Moving on to a more technical approach, it needs to be noted that '***Imperialism'*** also '*implies great power, not merely unequal power; it implies the capacity to dominate or control other states, not merely to influence them; it implies an empire, not merely a sphere of influence'.*[25] Similar to Doyle (above) this definition of imperialism indicates again that to be imperial means to have more than just control; it expressly means to expand, to make greater the size of territory or domination. This conception of imperialism directly draws from the concept of *'empire'* which I believe needs defining impartially to fully understand 'imperialism'. Similar to its subject *'imperialism'*, *'empire'* lacks absolute consensus in its definition. Nevertheless, the majority of scholars have accepted that empire is determined through asymmetrical rule hinged on coercion,[26] with modern empires exercising influence through 'direct military and political intervention, the threat of intervention, the mediation of proxy states, or multilateral institutions in which the imperial power is the dominant member'.[27]

Is the US imperial?

The 21st century has witnessed a great change of approach where the US has stamped down its authority in areas of foreign policy and its global standing as a superpower. The provoking act or catalyst was the 9/11 attacks, whereby the US completely outlawed any nation who contested its values and made it clear that it would go to extremities to defend itself. The actions of the previous seventeen years have re-sparked the debate on whether the US can be seen as this *imperial* power. A brief historical background before this period would help to better understand the nature of US.

According to Mann, the US has always been imperial but in distinguished ways and in a variety of places, leaving a lack of consistent imperial behaviour.[28] Other scholars argue that the US was an imperialist nation from the outset, with the settlement of the continental US being the first stage of US imperialism.[29] In 1823, under the 'Monroe' doctrine, the US expressly 'declared all of Latin America as its sphere of influence,' therefore pioneering its assertion of hemispheric control as

[23] Ibid.
[24] Ibid. p.11.
[25] Slater, J. (1976) 'Is United States Foreign Policy "Imperialist" or "Imperial"?' *Political Science Quarterly* 91:1, p. 67.
[26] Mann, M. (2008) 'American Empires: Past and Present.' *Canadian Review of Sociology* 45:1, p.8. and see also Spruyt, H. (2008) "American Empire" as an Analytic Question or a Rhetorical Move?' *International Studies Perspective 9*, p.297.
[27] Lutz, C. (2006) 'Empire is in the Details.' *American Ethnologist* 33: 593-611, p.594.
[28] Mann (2008) p.8.
[29] Ibid, pp.13-14.

opposed to merely continental control.[30] This declaration was personified in the Spanish-American War, and the 'US initially became regarded as a colonial empire through the acquisition of the individual territories of Philippines, Puerto Rico, Guam, and Samoa'.[31] The US then persisted to exercise its dominant authority over the lower half of the western hemisphere by conducting 28 interventions in Central America and the Caribbean during the period between 1899 and 1930 overthrowing what it deemed hostile governments or regulating or repressing rebels.[32] The power and status of the US grew after being on the winning side of two world wars, which lead to the emerging of one of two superpowers in the world, alongside the Soviet Union.[33] After the Second World War the US 'built influence and a weak economic zone over the West of Europe and Northeast Asia' with 'extensive regulation over the security policies of West Germany, Japan and South Korea'.[34]

Then during the Cold war, the informal and undeclared US empire continued, where the 'US intervened militarily against revolutionary movements or mildly leftist-leaning governments, confident that it could rule them indirectly, through local oligarchies'.[35] Simultaneously it made momentary (indirect) colonies in Korea and Vietnam.[36] After the USSR collapsed, the US expansion led to interventions in Panama, the Gulf War, Somalia, Haiti, Bosnia, and Kosovo'.[37] Bush senior's Administration and the Clinton Administration extended the range of US military interventions against what the west deemed as "rogue states" consisting of Iraq in 1991, airstrikes in Yugoslavia, physical intervention in Somalia and the placement of military bases in Saudi Arabia and the Balkans.[38] President Clinton tried to paint a humanitarian picture behind the interventions, however, the exercise of power here was not significantly distinguished from past invasions.[39] Finally following through, the US's imperial legacy is evident as most recently with 'the invasion and occupation of Iraq and the creation of a client state in Afghanistan'.[40] In contrast, the low-key US Empire consists of several unincorporated areas being: the Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Puerto Rico, Guam, the Virgin Islands, and American Samoa[41]. The US maintains influence over Korea, through control of their military remaining under the order of the US military during wartime, and also Japan, which is coerced to give funds from its domestic

[30] Johnson, C. (2004) *The Sorrows of Empire*: *Militarism, Secrecy and the End of the Republic.* London, Verso, p.2.
[31] Go, J. (2007) 'The Provinciality of American Empire: 'Liberal Exceptionalism' and U.S. Colonial Rule, 1898–1912.' *Comparative Studies in Society and History* 49(1), p.76.
[32] Mann (2008), p.19.
[33] Ibid, p.22.
[34] Lake, D. (2008) 'The New American Empire?' *International Studies Perspectives* 9(3), p.285.
[35] Mann, M. (2003), p.88.
[36] Mann (2008), p.25.
[37] Ibid, p.6.
[38] Ibid, p.37.
[39] Mann (2003), p.8.
[40] Hunt, M. (2007) *The American Ascendancy: How the United States Gained and Wielded Global Dominance.* Chapel Hill: University of North Carolina Press, p.309.
[41] Lutz (2006), p.595.

budget to the US Department of Defence for military bases positioned there.[42] The US has over 700 military bases in other parts of the world as well,[43] with 'more than one million men and women at arms on five continents.'[44] If we look at the acts of the US over the past century or so, what we find is a nation that has been more than imperialist in its acts and approaches, almost above and beyond the definition of imperialism.

However, the case has always been that the US has effectively justified its actions. This has been through explanations of self-defence and also democratization; the democratic peace theory a mission to spread peace and democracy to better the world at large in the view that democracies do not fight against democracies (see democracy literature below). The underlying factor is that prima facie the US has always remained the good, innocent Samaritan. If one looks at a legal approach to identifying a crime (as an example to give some food for thought), in the sense that legally speaking under any jurisdiction (internationally) for a crime to be committed, you need a guilty act (actus reus) and a guilty mind (mens rea). If a legal approach was taken then as it stands currently one cannot say that imperialism is present by act and intention, the intention aspect is non-existent. The reason for this is that there has yet to be a contemporary study that portrays acts with substantiated evidence of the intention behind it. This makes it difficult to label US actions as adequately constituting imperialism and instead we are left with an unintentional *imperial* state or *empire* that has a million and one reasons justifying why it is not an *empire*. Alongside this, the only aspect that is present is an assumptive view that the US actions translate well with the physical requirements of imperialism. Thus far therefore the guilty act has been present, US foreign policy by acts has been determined as imperialist. However, the case remains that it has not yet been proven that the US had intended to be an imperial power and that instead imperialism has been a result of an unwanted repercussion of its noble nature of peace promotion or self-defence policies. This remains to be the biggest obstacle in the case to provide substantial evidence and adequacy in that the US is an empire, with an intentional imperial agenda. I will now look at the key studies and attempts at deciphering and understanding the actions of the US since the settlement of the Continental US until the Iraq War, and the proceeding years.

International Political Economy Perspective

In terms of the International Political Economy perspectives on imperialism, Callinicos brings forward the Lenin–Bukharin combination of capitalist imperialism through understanding the

[42] Ibid.
[43] Johnson (2004), p.4.
[44] Cox, M. (2005) 'Empire by Denial: the Strange Case of the United States.' *International Affairs* 81(1), pp.15-30.

related (but distinguishable) forms of competition: the geopolitical and the economic.[45] Callinicos argues that when capitalist imperialism is conceptualised as the 'intersection' of the two competing forms, 'the interstate rivalries' develop to integrate 'into the larger processes of capital accumulation', a method 'which takes several centuries'.[46] Additionally, since imperialism is influenced by the undefined interplay of geopolitical and economic purposes, it creates a 'non-reductionist treatment of imperialism' which takes imperialism beyond reductionary understandings that are influenced by either the organisational structure of capitalism or the international system.[47]

Michael Hardt and Antoni Negri who argue that in contrast to imperialism, in the modern era of sovereignty '*Empire'* (referring to the modern international system) does not have a territorial centre of authority and has no reliance on the occupation of fixed boundaries and barriers.[48] Instead, the global political economy machine is global, de-centred, de-territorialized, and rules through hybrid identities in flexible hierarchies with plural exchanges.[49] Modern theorists have been reluctant to recognize and declare the current globalization of capitalist production and the global economy as a significantly new and impartial position or an acknowledgeable transition of historical importance.[50] The world was once distinguishable through individual nations having individual cultures and economical systems. Hardt and Negri argue that this has changed in the latter stages of the last fifty years in a transition that conceptualizes the world as one global Empire.[51] This *Empire* witnesses the first, second and third world in constant exchange, with capital being able to flow freely in the global world. Hardt and Negri argue that capitalism has had continuous basal proximity to the world market and its expanding and developing cycles.[52] This secular power over-determines and over-powers all nations through unitary structuring, treating them under one globalized notion which is absolutely postcolonial and post-imperialist.[53] Arguing against the idea of the US being an Empire or an imperial nation, Hardt and Negri acknowledge the US as the most powerful country in the world, but argue that the capitalist globalization is beyond the power of any individual nation-state (including the US), as no single nation can reign with imperial dominance in the global political economy.[54]

[45] Callinicos, A. (2009) *Imperialism and Global Political Economy*, Cambridge, Polity Press.
[46] Ibid, p.15.
[47] Ibid, p.16.
[48] Hardt, M. & Negri, M. (2000) *Empire*. Cambridge Mass.: Harvard University Press, p.8.
[49] Ibid, p.9.
[50] Ibid, p.8.
[51] Ibid.
[52] Ibid.
[53] Ibid.
[54] Ibid, p.11.

Scholars and current studies on US Imperialism

Vidal diagnosed the US as an empire from as early as Spanish American War, where he believes the US had distinguished itself from the rest of the world in terms of its actions and worldly position.[55] This is interesting to note that even as far back as the Spanish American War, the diagnostic attempts of *'Imperialism'* were present, therefore the debate has been around for a long period of time. Mann in his thesis of the Project for a New American Century: *Incoherent Empire,*[56] states that the actual *'age of Empire'* is at an end. He sees the modern era as the age of independence, and the age of the nation-state.[57] This basically means that formal empires such as the British Empire are basically, physically impossible to preserve and maintain. Mann's observations also cover the base that even when the US tries to maintain a formal empire through client states like Saudi Arabia or Israel, it still finds discontent and stigma.[58] The point made by Mann is vital to understand and comprehend, as in contemporary times, any declaration or relation to an empire by a nation state would cause chaos and anarchy amongst the world leaders. The open empire age seems to be at an end, the new age is more for self determination and independence. Anything that goes against this with in reason, can be seen as a violation in both international customary law, and mutually agreed codes of conduct amongst nation states. Therefore, if an empire was present then it would have to operate in an inconspicuous manner. I believe Mann is hesitant with where he categorises the US in the empire debate.

Similar views regarding the hypocrisy and inconsistency of US foreign policy and even suggestions that the US Empire has broken down are thoroughly examined by Barber.[59] Barber questions the hypocrisy of the US in its approach to replacing terrorists with rogue states and treating the same systems differently according to where they stand with the US e.g. Saudi Arabia.[60] Barber makes a crucial point that if the US is an empire then it is failing at best. Todd also indeed acknowledges an Empire, but forecasts and predicates its fall after the post 9/11 events, and also holds similar views regarding the breakdown of empire and the related inconsistencies.[61] Evidence of a failing empire has been presented by Harris, stating the US failed in its occupation of Iraq, as hegemony was not achieved and if anything Iran was the beneficiary of the war.[62] Harris believes that the Iraq war could strain future US imperialist plans due to the historic, strategic and moral calamity of the war.

[55] Vidal, G. (1987) *Empire: A Novel.* New York, Random House.
[56] Mann, M. (2003).
[57] Ibid, p.258.
[58] Ibid, p.104.
[59] Barber, B, R. (2003) *Fear's Empire: War, Terrorism, and Democracy.* New York Norton.
[60] Ibid, p.37.
[61] Todd, E. (2003) *After the Empire: The Breakdown of the American Order.* New York, Columbia University Press.
[62] Harris, J. (2008) US imperialism after Iraq. *Institute of Race Relations Vol 50(1):37-58.*

In backing up Mann's views, it affirms a failing and incoherent empire when looked at on a results basis, which according to Harris the US failed in Iraq.

Contrastingly Bacevich refutes claims that US foreign policy has lacked coherence since the end of the Cold War, through a detailed argument that advocates how the US has a thorough and well-defined strategy.[63] The strategies and plans (both long and short term) reflect the premeditated long-term goal of establishing a stable and formidable empire.[64] Through the Cold War, the US worked its resolve to dominate a bold and profound international order that was based on the principles of democratic capitalism and anti-communist imperative. With the end of the conflict, the US aimed for an identical global empire encrypted through the principles and aims of universal prosperity for all. This was in the form of freedom, and peace through democracy, with the relevant military superiority and capacity necessary to secure this.[65] With the attacks of 9/11, a revitalised strategy re-ignited the flame. This required rethinking and re-adapting policy in response to the war on terror, with the defence of the US empire, defined as one of universal freedom. Bacevich states that the empire that the US has created has nothing that is comparable to it in history. He goes on to state that the US purpose is the creation of an open and integrated international order based on democratic capitalism, with the US as the ultimate guarantor of order, and enforcer of norms.[66] Now in terms of this statement, though it is fair to say it does not constitute an empire in terms of a territorial giant, but does in fact state that the US will be a power giant instead with almost absolute and unfettered influence. The work by Bacevich views the US in a contrasting way to Mann, Todd and Barber who combined argue an empire that is incoherent and therefore inevitably in decline, is likely to fall. If anything, Bacevich deems the US as almost the exact opposite, he deems them to be intentionally strengthening and not yet having reached their peak.

It is important to acknowledge that in support of Bacevich, the acts of the US since the fall of the Soviet Union, until the Iraq War, are not as unrelated and inconsistent as one might assume. If anything, the planning and cohesion in policy is reflected through consistency of US policy which has given them success in asserting their will globally. If there was the incoherence that Mann suggested, then would the US have been successful for so long? When you look at the actions of the US since the Spanish American War until today, through the analysis of Bacevich, it looks well planned in strategy. If you look at US power and its efficacy, especially in terms of its universal appeal through 'soft power',[67] the US in terms of domination, has in modern times been a success.

[63] Bacevich, A. (2002) *American Empire: The Realities and Consequences of U.S. Diplomacy.* Cambridge, MA: Harvard University Press.
[64] Ibid, p.244.
[65] Ibid, pp.4-5.
[66] Ibid.
[67] Nye, J. (2004) *Soft power: The means to success in world politics*. New York: Public Affairs.

With the 700 military bases and most likely many more, the US does not seem to be failing or falling anytime soon.

What seems to be evidently clear through the examination of the literature thus far, is that although the empire title is given to the US, the arguments are tentative. Alongside the potential overuse of empire and the controversy it brings, some scholars prefer to not use such bold labels describing the US as an empire, and alternatively stick to a 'unipolar power' which avoids the argument altogether (as Layne[68] and Krauthammer[69] personify). Another reason that scholars have great difficulty in declaring the US an empire or imperialist is due to the presented argument for *'hegemon'*, which stems predominantly because of the informal nature of the US in how it behaves. The fact that as a hegemon, the power is not measured by land mass and expansion through occupation, but influence through an accepted leadership amongst participant states, has brought the hegemon phenomenon forward.

In contrast to those who are reluctant to be bold and thorough in using the term *'Imperialism'* or declaring the US as an absolute '*empire'* the work of Panitch and Gindin[70] brings a contrastingly bold view. Panitch and Gindin believe the US is and has to be an absolute empire.[71] The authors believe that due to the US being a key advocator of globalization and the vested duty that it has in policing globalization, then the US can be nothing but an empire. The underlying theme of this study is the absolute nature of the US being an empire, almost to the point that it could not be anything else. This contrasts highly with previous more careful studies mentioned above regarding how to label the US. What Panitch and Gindin do which is questionable however, is the interchangeable uses of all three associated but different terms of '*imperialism', 'hegemony'* and *'empire'*. This is concerning and questions must be posed with regards to their understanding of all three terms and the interchangeable use indicates a potential lack of understanding and ability to distinguish. This is an example of the complexity of understanding imperialism, the concept is proving hard to decipher for some, which ultimately has a knock-on effect when applying a nation like the US to the concept. Panitch and Gindin also focus predominantly on the 'why' part of the US being an absolute empire but not the 'how'. The study fails to provide adequate substance that the US is an empire. Empire has been overstated in the study with reasons 'why' but not enough evidence that focuses on the 'how'. The work of Panitch and Gindin epitomize for me, why it is crucial to have a study that gives details on the 'how' part of the explanation. It is in the 'how' that

[68] Layne, C. (2009) 'America's Middle East Grand Strategy after Iraq: The Moment for Offshore Balancing Has Arrived', *Review of International Studies 35*(1), pp.5–25.
[69] Krauthammer, C. (2002) 'The Unipolar Moment Revisited', *The National Interest70 (Winter): 5–17.*
[70] Panitch, L. & Gindin, S. (2004)
[71] Ibid, p.1.

convincing arguments, and evidence can be presented. This is something that my study will bring, through a thorough examination of the US actions in detail.

A point needs to be made at this point regarding why the '*empire' v 'hegemony'* debate takes place, this is due to the previously mentioned informal nature of the US being an empire. The fact that the US denounces its existence as an empire, and that studies have only tried to apply the labels from a distance without adequate substance, has made it difficult for the empire label to be applied confidently. Hence there are fluctuations in the boldness in the tone where the term is used, and scholars therefore are left hesitant. Agnew has fairly strong views on the US being a hegemon, and confidently presents his case as to why.[72] Agnew believes 'empire' implies a high degree of territorial organization, with an effective and clear centralized power that directs intelligence.[73] This is something that that cannot be applied to the US, hence Agnew deems the term '*hegemon'* more appropriate.

The argument for the transitions over time, and further support that the US is an empire is presented by Cox. Cox argues that after 9/11 inertia was no longer an option, and that the US does what all empires have done: it sets principal rules for those within its 'imperium' and rewards or punishes states based on compliance or non compliance.[74] In his later work *'Still the American Empire'*, Cox sees the US as a case that is to be treated separately in the contextual analysis of empire.[75] He believes that single definitions of empire are not the way to appreciate and understand US power, and the authority the US has in modern times bears no other word to describe it, apart from empire.[76] Cox highlights that a simple factor in the empire debate is the US alone spends almost as much as all the other nations combined just on defence.[77] Although the existence of empire and imperial ambitions remains hidden, Leaman argued that the US should do its deeds openly without concealed motives, without the underhanded methods.[78]

The US has always managed to defend its action either through self-defence or DP, along with many other explanations. If we apply the Cox way of analysis, which is: 'if it looks and talks like one, then it must be an empire,' then the answer will always be without substance. For example, it could always be argued that the US were forced into this position of leadership, that once the Soviet Union fell, the world placed the US on a pedestal to act. The fact that economy driven factors have pushed the US into a superpower position may also be the result of an unintended outcome,

[72] Agnew, J. (2005).
[73] Ibid, p.viii.
[74] Ibid.
[75] Cox, M. (2007) 'Still the American Empire' *Political Studies Review.* 5(1-10), p4.
[76] Ibid, p3.
[77] Ibid.
[78] Leaman, G. (2004) 'Iraq, American Empire, and The War On Terrorism' *Metaphilosophy*, 35(3).

maybe the US wanted the financial dominance but not the responsibility and power that came with it. Maybe the US never intended imperialism or an expansion of empire, and wars such as the one in Iraq were instead for genuine democracy promotion. Spruyt argued that the US never had the logic or organization, nor could its actions (when analysed together) resemble imperial tradition,[79] and even suggested that the failure of Iraq may be a reflection of a failed empire at the very least.[80]

Interestingly, from all the studies mentioned so far, only very few have discussed US imperialism as a product of a decision-making elite. The approaches of Mann, Barber, Panitch and Gindin, Bacevich, Todd, Layne, Krauthammer and Leaman focus on US imperialism through the analysis of US actions abroad both militarily and economically without examining decision-making in detail or the influences of US imperial ambition. Contrastingly, Harris refers to transnational capital seeking elites whilst Agnew refers to elites but does not meticulously examine their role, thus bringing little to the understanding of how elites mobilise foreign policy to achieve their goals. This is what my study will focus on (elaborated below in the elite theory section).

Definition of imperialism for the purpose of this study.

In acknowledgement of the previously mentioned inconsistencies in the definitions of 'imperialism', the inconsistent applications of *'imperialism'* and *'empire*' to the actions of the US historically, and the denial of the US in admitting its imperial ambitions, this study will provide clarity in the imperialism debate by analysing US post-war planning and decision-making on the ground in Iraq. This study is different to the above-mentioned studies that apply the definition of imperialism to US actions at a distance, in the process failing to deliver an explanation that has adequate substance regarding the nature of US power in occupation.

The definitions of Doyle, Slater, Mann and Lutz collectively emphasized that empire and imperialism involves domination. Based on the definitions discussed above and taking into account the transitions in the meaning of the term over time, the definition of *imperialism* for the purposes of this study will refer to policies or actions that aim to extend a country's power and influence politically and economically, this can be through colonization, military force, or other means of coercion. To simplify this, *imperialism* will mean that an imperial nation asserts its will on a subject nation to achieve a set of intended outcomes. In re-iterating that the US dominating Iraq for financial self-interest is one form of imperialism and bringing democracy to Iraq in seeking to serve the people of Iraq is also classed as imperialism, it is fair to state that both forms involve one nation imposing its will and authority over another nation. Chapters 4 and 5 will specifically examine the

[79] Spruyt, H. (2008), p.9.
[80] Ibid.

actions of the US in Iraq to determine whether the decision-making in the occupation prioritised the serving US elite agenda at the expense of Iraqis (self-serving) or whether democracy promotion and serving the needs of the Iraqi people was prioritised. A responsible occupation in practise would be in adherence with the stipulated international law as per the UNSCR, and servile to the needs of the Iraqi people. If the occupation contravenes the stipulated international law; the occupation is self-serving and therefore servile to US elite interests. The empirical chapters will elaborate on the international laws that specifically relate to the decisions of the US in the constitution making process (Chapter 4) and the decisions of the US in privatising Iraq's economy (Chapter 5).

Now, I will take a very brief look at one key influence of US ideology, which I believe impacts US perceptions, and therefore decision making. I will briefly mention Orientalism below, before moving on to the US DP literature.

US Ideology and perception in Foreign Policy

Postcolonial theory focuses on developing critiques of colonialism and imperialism, with a focus on the ways in which cultures are represented within discourses of development, modernization and capitalism.[81] In understanding that colonialism has been typically defined as overt coercion through territorial occupation and that imperialism is an economic and political domination that is carried out at the ideological level (as discussed above), it is important to also acknowledge neo-imperialism. Neo-imperialism defined the modern territories of imperialism, examining the connections of state, corporation power and international institutions in carrying out the interests of specific geographically based power structures.[82] Postcolonial deconstructions of neo-imperial agendas critically interrogate the narratives of separation between the West and the East. Prasad states that postcolonial theory explains how the imperial West establishes its dominance culturally and ideologically in addition to militarily, economically and politically.[83]

US ideology and its influences are important to understand, as it plays an important role in influencing the decisions of US elites. The foundational concepts of 'Orientalism' were established through Edward Said, who observed that there was a fundamental difference between studying to understand the compassion and emotion of another culture, with study that is part of an overall campaign of self-affirmation, belligerency and outright war.[84] The notion of Orientalism is crucial to

[81] Ban, Z., & Dutta, M. (2012). Minding their business: Discourses of colonialism and neoliberalism in the commercial guide for US companies in China. *Public Relations Inquiry*, *1*(2), 197–220, p.201.
[82] Ibid.
[83] Prasad, A. (2003). *Postcolonial theory and organizational analysis : a critical engagement* . New York ;: Palgrave Macmillan.
[84] Said, E. (1978) *Orientalism.* Penguin Group, p.xiv.

acknowledge when understanding the ideology of the US in its foreign policy decision-making. Said believes Orientalism derived from the British and the French, whose domination lasted until after World War II,[85] thereafter the US overtook the French and British in the domination of the Orient.[86] In the 18th century, British officials embraced Orientalism for self-serving purposes in a view that held Arabs, Africans and Asians as backwards, barbaric, incompetent and inferior. Such views would be used to justify and rationalise British imperial ambitions in territories ranging from India to Egypt. For the British, the need for Anglo-Saxon guidance was manufactured through Orientalist perspectives on the Ottoman dictators, outdated Islam, and a social-Darwinism based view on the Arab race.[87]

The role the Occident (West) plays for the Orient (East) is one that assumes the power to decide one's fate in existence. In 1916 the Sykes-Picot agreement split the Middle-East based on areas of British and French control. To this day, the decision has left the region un-settled, with ethnicities being divided into different countries (for example the Kurds with a population of 40 million, are geographically split between Iraq, Iran, Turkey and Syria). The case of Sykes-Picot, when applying Said's theory, personifies 'why' intervention in a culture so distant (physically and culturally) could be justified at the time. The theory Said brings, creates a need in the Occident's thought process that the Orient needs the intervention and assistance and that the Occident is best placed to do this, in addition this explanation also brings popular support domestically. Though one can say the theory does potentially explain historical imperial mind-sets, it is also unique and individual in its identity. Combined with other studies on ideology, Orientalism is useful in my study as it can help to understand the influences of US decision-making in more detail. The lack of education in the thought process behind the Sykes-Picot agreement and the agreement itself could be a reason why the Middle-East is in the turmoil that it is in today, hence it is important to understand how knowledge on the East is constructed and where these constructs originate from.

It needs to be noted that Orientalism in the thinking of the US had a significant impact on their decision-making and will be revisited and elaborated upon in Chapter 3 (Elite background Study of the Bush Cabinet and their world-views) of my study. Following on from Chapter 3, Orientalism will also be identified in the empirical Chapters 4 (Elite Decisions in Iraq CPA Case Study 1.0: Drafting of Constitution and its Finalisation) and 5 (Elite Decisions in Iraq CPA Case Study 2.0: Decisions to transform Iraq's economy, contracts awarded and missing money).

[85] Ibid, p.4.
[86] Ibid, p.285.
[87] Ibid, p.31-40.

Democracy Promotion Literature

The term democracy has numerous definitions with various differences but coagulates to form a more general and accepted meaning. In this review of the literature on democracy, I will not go into the various and lengthy definitions of the notion, instead I will focus on a general consensus driven definition and then concentrate on the US and its DP as perceived and studied by scholars.

Those who define democracy emphasise accountability in democracy, with political democracy defined to be a system of governance, in which rulers are held accountable for their actions in the public sphere, by citizens acting indirectly through the competition and cooperation of their democratically elected representatives.[88] Schumpeter has given a more simple, succinct definition of the term, defining democracy as an institutional arrangement that arrives at political decisions through a system where individuals acquire the power to decide, by means of a competitive struggle for the popular vote.[89] Fukuyama defines democracy as the right held universally by every citizen, to have a share of political power, that is the right for every citizen to vote and participate in politics – with a nation being deemed democratic when it grants its people the right to choose their own government through periodic, secret-ballot, multi-party elections on the backbone of universal adult suffrage equally.[90] It can be stated at this stage that with democracy, there is a consensus of sorts to agree that the populace are empowered to vote on politics, and all matters concerning their lives, in a system that represent their will.

The first point to consider at this stage is that there is clearly some discrepancy in the definitions. The reason I highlight this is that if the scholars are inconsistent, or lack consensus in defining the term, then one is able to foresee the following implications. The elevation of the notion can be labelled rather questionable, as the notion itself is not clear. Even more problematic than this would be understanding the notion and identifying where and what can be classed as democracy as this would also prove difficult. I highlight the need for clarity at this point as nations (e.g. the US) that promote an ideology such as democracy must be clear in exactly what they are promoting. Only then can the gap between theory and practice be measureable, and DP then has a bigger chance to succeed. There are also difficulties in identifying democracies and measuring the genuineness in the declarations of self-proclaimed democratic institutions. Nations can declare themselves as democracies, but their actions may state otherwise.[91] The debate of a nation being a democracy is based on the most basic aspect of being able to vote for the ruling government. There

[88] Schmitter, P., & Karl, T. (1991) What Democracy Is . . . . and Is Not. *Journal of Democracy*,*2(3), 75.*
[89] Schumpeter, J. (1994) *Capitalism, Socialism, and Democracy.* London, Allen and Unwin, p.269.
[90] Fukuyama, F. (1992) *The end of history and the last man*. Penguin, p.43.
[91] Carothers, T. (1997) "Democracy", *Foreign Policy*, *no. 107*, pp.11-18

is significance in the fact that nations like Costa Rica, UK and US all have different features of democracy, but on the most basic note can be identified through the democratic model.[92] One then has to be specific, to not look at whether the US is promoting democracy, but to look at what type of democracy the US is promoting, with an examination of the how and why. It is fair to state that because democracy has so many diverse features, that having one democratic characteristic could see a nation labelled a democracy. Instead the debate lies with what type of democracy is being promoted, how is it being promoted and why is it being promoted. This would then indicate the thought-process behind US actions, in deciding not whether the US promotes democracy, but whether DP is the primary aim or whether there is an ulterior motive.

The type of democracy promoted by the US has been characterised and named in an elaborate study entitled '*Low Intensity Democracy'.* The study argues that democracy is in essence a utensil, that is used to carry interests of the US to and through nations that it influences politically. 'Low Intensity democracy' is a concept diagnosed by Gills and Rocamora,[93] who in their study review the role of the US in four countries (Argentina, Guatemala, Philippines and South Korea). They argue, based on their studies that the US did not support democracy until it was clear that existing authoritarian regimes were in crisis. They argue that when the US did promote democracy, it was a specific type of democracy that was promoted. This served as a means of justifying continuing intervention by the US in the affairs of the countries. The US promoted institutions of democracy but have failed to broaden popular political participation. The case studies found little evidence to support the widespread assumption that formal electoral democratisation alone would bring a lasting progressive breakthrough in the societies, or that such a system is capable of solving social and economic problems.[94] The study argues that without social reform, the term democracy is devoid of meaningful content, and that democracy risks becoming a euphemism for a new form of authoritarianism.[95] Gills and Rocamora argue that democracy is now categorized with capitalism, as the specific and particular forms of democracy peddled by the US in developing countries, is tailored to boost interests of global capital more so than empower a powerless populous. Low intensity democracy was to spark more radical reform and legitimize the status quo, as new regimes that are democratic, can impose even harsher adjustment policies on populations than authoritarian regimes. This, therefore means less popular resistance to sanctified repressive and harsh policies, as they are legitimized through the policy making process.[96] The enemy then became not so much communism, but anyone who due to popular demand had an improvement in

[92] Ibid, p.11.
[93] Gills, B. & Rocamora, J. (1992).
[94] Ibid, p.501.
[95] Ibid, p.502.
[96] Ibid, pp.504-5.

standards of living, which interfered with US efforts that encourage private investment and repatriation of profit.[97] Gills and Rocamora made it clear that the democracy promoted was almost a democracy by name, and to an extent a new way of making authoritarian regimes legitimate. This almost renders the populace powerless by default, before democracy is implemented, marking the entire process as counterproductive and ineffective. This type of democracy makes society unable to make drastic economic reforms. The democracy supported and promoted by the US, did not give the populace in the mentioned studies the rights and freedoms they were promised. Instead they promoted systems, and ways that seem to serve US self-interest. Though, when the question of was democracy being promoted is to be answered, one can safely say that 'yes', democracy was being promoted. However, this democracy was serving of US interests, and was incompatible with the common understanding of democracy regarding free elections and a system that represents the people's will. On the same token, one can also state that democracy has many forms, and that a nation can be a democracy on the most basic of attributes. Therefore, the US does promote democracy, but also has ulterior motives than enable US self-interest to be served. This then begs the questions of what these ulterior intentions are, though obvious to many and explained by some, the next study will give an insight.

Tony Smith sees US DP as a way of sanctifying imperialism in the name of benefiting mankind; through an ideology he believes was born with Woodrow Wilson and still lives today.[98] Smith explains how Wilson stated at one point the Philippines had fallen to the US, and the US standards were to be imposed upon it in the name of liberty, in almost a century later, George Bush referenced liberty similarly in 2002.[99] Smith argues that under Wilson, a metamorphosis took place from racial superiority, to convictions of cultural superiority. Smith accentuates that what originally started as racial and religious beliefs, became secular in a more credible way, as US foreign policy presented a self-confident and self-righteous US. This then legitimised progressive imperialism through justifications of intent, to better the life of newly conquered nations.[100] Before Woodrow Wilson, Smith highlights that the US followed a '*social Darwinism'* model, where races were put in a hierarchy with whites and those with a Teutonic background or those who were English being superior.[101] Therefore, the power exercised over those deemed inferior or inadequate was the natural order. Before Wilson, the US could not justify its expansion policies. The democratic peace theory was put at the forefront of promotion, with the logic that democratic systems of government do not fight each other, hence democracies never go to war. In addition to the new

[97] Ibid, p511.
[98] Smith, T. (2011).
[99] Ibid, p.230.
[100] Ibid.
[101] Ibid, p.231.

world order, International law and holding nations accountable for Human Rights violations, meant that rogue states could be attacked and decimated on legally justified grounds.[102] If Smith's study is examined, one can conclude that DP is merely a more presentable and marketable justified notion, as opposed to marketing racism and imperialism (which would not be logical). If one is to look at the US through Smith's eyes, then the US is not promoting democracy, it is using democracy to justify its actions like imperialism in the name of altruism. Carothers brought forward a point that many nations including Putin's Russia, Uzbekistan, Belarus, China, Zimbabwe and Venezuela have actively started rejecting DP or aid in the name of it.[103] At the same time these nations are clamping down on NGOs and organisations that appear to be promoting ways that influence politics, beyond the ruling elite narrative. Carothers believes the resistance is not against democracy but against intervention.[104] Carothers makes it clear that there is a huge amount of inconsistency in US foreign policy, with the US reputation or image regarding democracy being negative.

Robinson examined the inconsistent nature of the US thoroughly, making noteworthy observations. Robinson stated that although the US has shifted from backing authoritarian regimes to DP, the intended purpose of influencing outcomes abroad in maintaining international relations asymmetry has remained the same.[105] The motive behind intervention is not always DP, it is whatever supports US interests. This is called Polyarchy, in which a system allows small groups to rule, with mass participation in decision-making being confined to leadership choice in elections that are managed by competing elites. Such a system must place no restrictions on a free-flowing economy, with the populace having limited authority in economic matters. 20 years after his study, Robinson then later declared that authoritarian forms of social control and international order are not viable in the era of globalization.[106] Robinson claimed that dictatorships were too unstable, with the crony capitalism that they operated being incompatible with free market capitalism. Global markets require flexible political systems that allow competition and circulation to take place amongst elites, as opposed to regimes that coercively exclude.[107] The studies by Robinson highlight that in actual fact there is no real consistency in application of DP, nor is there a genuine intention to democratize. If genuine democracy was being promoted here, then the US surely would have kept these democracies at whatever cost, if anything the US could have supported the democracies diplomatically as opposed to organising coups that overthrow regimes. The actions of the US in these instances are inconsistent with DP, indicating a huge gap between theory and practice. It can

[102] Ibid, p.246.
[103] Carothers, T. (2006) *The Backlash Against Democracy Promotion, Council on Foreign Relations*. NY, New York.
[104] Ibid, p.56.
[105] Robinson, W.I. (1996) *Promoting Polyarchy: globalization, US intervention, and hegemony*. Cambridge University Press, Cambridge, pp.318-319.
[106] Robinson, W.I. (2013) "Promoting Polyarchy: 20 years later", *International Relations*, 27(2), pp.228-234.
[107] Ibid, p.230.

be declared at this point that the US is not committed to DP but to expansion, hegemony or in other cases imperialism. The goal is not democracy, it is instead serving its own economic interests and stability.

Holding similar views to Robinson, Noam Chomsky highlights the discrepancy between US theory and practise. Chomsky states how US actions are inconsistent with the cliché words of democracy, freedom and peace, apart from one instance.[108] The only instance they can be associated is when terms like 'freedom' are understood in the context of freedom for international corporations, to depredate the worlds natural resources, along with the subjugation of markets and labour. In support of Chomsky's claims, Carothers examined why the Reagan administration adopted DP as the central theme of its Latin American policy, highlighting how DP was used as a justification to advance anti-communist policies. [109]

Chomsky makes it clear that the goal is US influence and dominance abroad that results in economic superiority. *Deterring Democracy* also states how the US is abusing its democracy, in the sense power belongs to the people but people's decision-making sources are dominated, through media culture (corporate media) and social conditioning. The domestic exercise of democracy is flawed in the US as how can people think impartially and autonomously when the media is a tool in influencing thought? Chomsky highlighted how the media is a tool for securing populous consent in *Manufacturing Consent.*[110] This study also hints at why the US has to cover its agenda and place a more attractive and altruistic image over its actions to justify them. At this point of the review on the DP literature, I must accentuate the consistencies. The recurring themes of what DP is as follows: justifying intervention, bringing free-market economies to serve its own self-interest, and covering up imperialism.

The types of democracy promoted by the US, and the methods used was analysed in '*US foreign policy and democracy promotion: from Theodore Roosevelt to Barack Obama.'* [111] The study covers the implications that the US faces, when managing competing interests. The considerations needed to balance interests of national security, free-market economics, and DP, have historically proved challenging for the US. Presidents had to manage factors of economic interdependence, multilateral institutions, U.S. leadership, and "democratic peace" in transitioning circumstances. This proved crucial for Woodrow Wilson after the United States entered World War I, and later

[108] Chomsky, N. (1991) *Deterring democracy*. Verso, London.
[109] Carothers, T. (1991) *In the name of democracy: U.S. policy toward Latin America in the Reagan years.* Berkeley; Oxford: University of California Press.
[110] Herman, E.S. & Chomsky, N. (1988) *Manufacturing consent: the political economy of the mass media*. Pantheon Books, New York.
[111] Cox, M., 1947, Lynch, T.J., (1969) Bouchet, N. & Taylor & Francis 2013, *US foreign policy and democracy promotion: from Theodore Roosevelt to Barack Obama*. Routledge, Abingdon, Oxon.

became the formula for reconstruction after victory. Interestingly, the September 2001 terrorist attacks triggered George W. Bush's freedom agenda, again highlighting the influence of contingency planning in foreign policy. This study is important, as it highlights the consistency of DP in US foreign policy, bringing evidence to the continuity that exists regardless of changes in administrations and eras.

Phases in US Democracy Promotion: Internal and external influences and perceptions

US identity has been as influential on US foreign policy almost equally as much as US power has been; this identity was a result of internal and external influences. For centuries, parties in the US held different perceptions of what democracy is, with particular debates about how democratic the state should be.[112] The US perception of democracy domestically in the US involve beliefs that free elections, civil rights, referendums, and women's rights are indispensable features of democracy, whilst redistribution of wealth, unemployment security, and economic security are also significant in a democracy.[113] Identity significantly influenced US democracy in terms of how it has been practised domestically and the type of democracy that has been promoted abroad. Internally, unique experiences such as the Civil war and external events such as US interactions with other states, specifically Europe, have influenced shifts in US identity that are evident in four distinguished phases of US history.[114] In the first phase (1789-1865), the US was wavering between an aristocratic republic and a popular democracy, where the interests of propertied elites and slave owners were protected, in the same period the US was also the nucleus of a liberal democracy that proclaimed freedom and equality for all its citizens.[115] Domestically the question was: did these rights apply to states who were free to enslave or did it apply to individuals (including slaves) who were to be protected by the federal power? At the time, US foreign policy paralleled these divisions in what Nau references as a 'conflicted republic.'[116] The second phase (1865-1930) witnessed US identity combine an 'electoral democracy' in which all individuals were provided with legal equality, with an emphasis on expanding franchise, and institutions that were directly elected by the US populace.[117] US foreign policy was more assertive in projecting progressive political reforms abroad that sought to establish good governments in its colonies (Cuba, and the Philippines for example),[118] whilst electing good leaders in Mexico and the Caribbean, and in Europe the US

[112] Cohen, M., Karol, D., Noel, H. (2009) *The Party Decides: Presidential Nominations before and after Reform*. Chicago University Press, Chicago.
[113] Dunn, K, & Thornton, J, R. (2018) "Vote Intent and Beliefs About Democracy in the United States." *Party Politics, vol. 24, no. 4, SAGE Publications*, p.461.
[114] Nau, H. (2002) *At home abroad identity and power in American foreign policy* . Ithaca: Cornell University Press, p.60.
[115] Ibid.
[116] Ibid.
[117] Ibid.
[118] Mann, M. (2008).

supported self-determination after World War I.[119] The third phase (1930-1965) was where US self-image became more noticeable under the influence of New Deal and World War II, in addition to this social democracy was prioritised through social security and economic opportunity.[120] For the first time in US history, its foreign policy addressed social and political reforms abroad, in the process breaking up elites in Germany and Japan whilst promoting reforms in education and agriculture in Latin America and South Korea.[121]

The fourth phase is the period from 1965 until the 2003 Iraq war, and is the most significant phase for my study. In this period questions arise of whether democracy's roots are individualistic and universal or social and cultural?[122] More importantly, is the US a liberal democracy based on the equality of opportunities for all? Or the US a multicultural democracy based on the equal representation of diverse cultural groups?[123] US foreign policy in the latest phase before the Iraq war was torn between the determination to secure democracy, markets and human rights globally, and also the acceptance of tolerating different cultures in the world, even those that do not respect the rights and freedoms of their own people.[124]

In discussing the type of democracy the US is promoting, and whether it is conceptually diverse from historical perspectives, Bridoux, identifies that the US has 4 variant visions of democratic models: classical liberal democratic model, reform liberal model, neo-liberal model and social democracy.[125] Bridoux also states that US has not been diverse however, in switching between models, and has been consistent with the classical liberal model.[126] Bridoux, similarly to Nau, believes four specific paradigmatic moments in US history, dictated how US DP was developed and practised. The first moment according to Bridoux is the post-World War I push for democratic republics in international politics, where the power and imperialism that autocracy created was to be replaced by rule of law and public opinion, as opposed to alliances and armaments that would be crucial to a stable international order.[127] Ikenberry is quoted for his summary of Wilsons Fourteen Point speech, where he states that the war was to inaugurate a democratic revolution, not only in the 'Old World' but worldwide. Wilson's view was that the rest of the world was coming to embrace US principles, and this would overcome all post-war issues.[128] The second shift

[119] Nau, H. (2002), p.60.
[120] Ibid.
[121] Ibid, p.61.
[122] Ibid.
[123] Ibid.
[124] Ibid.
[125] Bridoux, J. (2013) "US foreign policy and democracy promotion: in search of purpose", *International Relations*, 27(2), pp. 235-240, p.235.
[126] Ibid.
[127] Ibid.
[128] Ikenberry, J. (2001) *After victory: institutions, Strategic Restraint and the Rebuilding of Order After Major Wars*. Princeton, NJ: Princeton University Press, pp.127-8.

according to Bridoux was in the 1940's and 1950's with the New Dealers DP, where after the Marshal Plan and Bretton Woods, the US become more interested in the liberal form of democracy. The Cold war and subsequent Soviet Union pressure rendered this a dark period for democracy, as the US had a much more realist stance in making the Soviet's collapse, whilst simultaneously supporting authoritarian regimes if they were anti-communist.[129] Under Ronald Reagan the US then experienced the third paradigmatic shift where the maximum expansion policies of the US, were developed to systematically expand democracy, especially in proxy states and free market economies in countering communist advances.[130] Reagan in rejecting Soviet Union collectivism, moved from reform liberal and social-democratic commitments, to individual freedom being the keystone of US promotions.[131] This new form of DP was launched, and had a new liberal-democratic and economic philosophy guiding it. DP initially focused on psychological operations and then a shift took place towards a three-fold model. The first model involved changes in the political system of the state; the second included government accountability structures and third was a civil society that checked the state.[132] Finally the fourth shift was after the Cold War under President Clinton, where the US was focusing on consensual domination in a market DP approach, which received great criticism as the US was accused of using DP as an instrument of capital domination.[133]

DP under Clinton and its significance

Under Clinton, the US committed to strongly promoting 'market democracies', Clinton's worldview emphasised a world of free-trading, peaceful capitalist liberal democracies, a stance that is in line with the long US tradition.[134] The democracy promoted was categorised as 'low intensity democracy' (mentioned earlier in this chapter) which prioritises the interests of global capital over popular participation. US in developing countries, is tailored to boost interests of global capital more so than empower a powerless populous. This low intensity democracy would enable more radical reform whilst simultaneously legitimizing the status quo, as new regimes that are democratic, can impose even harsher adjustment policies on populations than authoritarian regimes.[135] This, therefore means less popular resistance to sanctified repressive and harsh policies, as they are legitimized through the policy making process. In addition, this free-market tailored concept encourages private investment and repatriation of profit. Low intensity democracy has

[129] Bridoux (2013), p.236.
[130] Ibid.
[131] Ibid, p.237.
[132] Ibid.
[133] Ibid.
[134] Bouchet, N. (2015) *Democracy Promotion as US Foreign Policy: Bill Clinton and democratic enlargement*. Routledge, Taylor & Francis Group, London and New York, p.15.
[135] Gills, B., Rocamora, J., & Wilson, R. (1993) Low Intensity Democracy: Political Power in the New World Order. Pluto, London.

been criticised for a lack of emphasis on the electoral and representative side of democracy, in contrast with the focus on the liberal dimension of the concept.[136]

When setting expectations on the US decision making elite in Iraq, DP under Clinton is crucial in understanding the type of democracy that will be promoted and developed in Iraq. The expectations will be set in Chapter 3 of this study where numerous other factors will be taken into consideration.

Criticisms of US DP

Bridoux also illustrated how the association of capital domination began to decimate the positive connotations that DP had. The US was suspected of only promoting a self-interest driven low-intensity democracy, to carry on the dominating class power of transnational capitalist elites, whilst going against participatory and radical aspirations of developing state publics. Bridoux concludes that the US does promote democracy, as various programmes in the past show this to be the case, in numerous ways. Bridoux argues that what matters is the reason and purpose behind the DP of the US, with the current world image of the US being that it does not deliver on its promises in genuinely empowering the people.[137] The transition ends with an emphasis on free market, which points the finger at the US for trying to dominate the market-through the instrument of democracy. Though other scholars argue that the transition does not take place, and the free market emphasis is consistent since the beginning of US DP (as other studies below will show).

Exporting democracy to Iraq

As my study will focus on Iraq, it should be noted that in terms of DP, many believe that democracy is not exportable, and in actual fact it should start domestically within a nation.[138] One argument is that civil society cannot function effectively, without the quality of governing bodies being improved, otherwise democracy will be at a detriment.[139] Democracy cannot be introduced to deeply divided societies, without having strong institutions in place, otherwise the populace would be left in detriment.[140] The effect of DP on the democratic process and favorability of democracy as a whole can have measurable consequences for nations that are recipients.[141] This is important to understand, as the legacy of DP could potentially be tarnished in the eyes of the nation being

[136] Zakaria, F. (2003) *The future of freedom: illiberal democracy at home and abroad*. Norton & Co, New York.
[137] Bridoux (2013), p.239.
[138] Barany, Z. (2009) *Is democracy exportable? / edited by Zolton Barany, Robert G. Moser.* Cambridge, New York, Cambridge University Press.
[139] Ibid, p.37.
[140] Ibid, p.85.
[141] Ibid, p.222.

'democratized'. This can lead to numerous repercussions as my study will show in the empirical chapters. In addition, two factors need to be elaborated upon, for the understanding of DP in the future. Firstly, US DP has had imperial traits that are fueled by orientalism. Secondly, culture is overlooked, and a huge reliance on the assumption that democracy will work begins to take place, this assumption can have very unfavorable repercussions as my study will examine.

Democracy in deeply divided societies: Iraq's polity at the time of invasion

It is important to understand that 'democracy' literally means rule by the people,[142] and is described as a government of people that is from the people, for the people.[143] Fukuyama defines democracy as the right held universally by every citizen to have a share of political power, through rights that are granted to every citizen to vote and participate in politics. A nation is therefore deemed democratic when it grants its people the right to choose their own government through periodic, secret-ballot, multi-party elections on the backbone of universal and adult suffrage equally.[144]

In understanding that a democratic system involves a populace that elects representatives to positions of power whilst holding them accountable, it is imperative to acknowledge the implications that may be presented by a nation such as Iraq which is divided foundationally on ethnic, sectarian and religious grounds. Since the establishment of the Iraqi nation-state in 1921 through to the 2003 Iraq War, the borders of Iraq have been home to Kurds, Arabs and Turkmen.[145] In the North of Iraq there are Kurds and Turkmen of Sunni, Shiite and Yezidi faith, and in the Center and South of Iraq there is a combination of Shiite and Sunni Arabs.[146]

Despite numerous Iraqi rulers, there has always been a struggle to establish and maintain both the sovereignty and the identity of the state as the populace within the borders of Iraq have not commonly been unified through Iraqi identity and have been in conflict due to a lack of common causes.[147] Historically, due to a failure of Sunni elites, Shiite elites and Kurdish elites in unifying and effectively managing the competing ethnic, sectarian and religious interests, the marginalization of Kurds, Shiites or Sunnis has been a recurring theme since the beginning of the Iraqi State. King Faisal I, Iraq's first elite ruler, concluded after his 12 year reign in 1933 that there was *"still no Iraqi people but unimaginable masses of human beings, devoid of any patriotic idea, imbued with*

[142] Fleck, R. & Hanssen, F. (2006) "The Origins of Democracy: A Model with Application to Ancient Greece", *Journal of Law and Economics, vol. 49, no. 1*, pp.115-146.
[143] Keenan, A. (2003) *Democracy in Question: Democratic openness in a time of political closure*. Stanford University Press, pp78-80.
[144] Fukuyama, F. (1993) *The end of history and the last man.* Penguin, p.43.
[145] Polk, W. R. (2005) *Understanding Iraq.* Harper Collins Publishers, pp.5-6.
[146] Ibid.
[147] Ibid.

religious traditions and absurdities, connected by no common tie, giving ear to evil, prone to anarchy, and perpetually ready to rise against any government whatsoever."[148]

Iraqi national identity had failed to effectively establish itself throughout the state's history, and Iraq's polity at the time of the invasion can be understood through the thirty-year legacy of Saddam Hussain's Ba'ath Party which ruled through a fear-driven single party system. Due to the fact that Iraq does not have a single society, and that there are numerous competing sects, ethnicities and religions in this equation, Iraqi society is fragmented into sub-societies. The ethnic-fragmentation is between Arab, Kurds, and Turkmen, and the religious-fragmentation is between Sunni and Shiite. Additionally, complexities exist through tribal-fragmentations which further fragments sects and ethnicities, for example in the North of Iraq Kurds are divided through two dominant elite tribal families; the Talabanis and the Barzanis.[149] The Arab-Shiites make up 60-65% of Iraq, the Sunnis make up 32%, 15% of the Sunnis are Arab and 17% of the Sunnis are Kurdish. Despite diversity and overlap in the layout of the multi-ethnic, multi-sect and multi-religious society, Saddam managed to intensify 'ethno-sectarian' policies in terms of Arabs versus Kurds and Sunni versus Shiite.[150] However, despite contributing to the divide between sects and ethnicities, the use of extreme force was instrumental in keeping order, although Saddam faced numerous attempts to overthrow his regime domestically.[151]

In seeking to overcome such ethnic, sectarian and religious divisions, *"Liberal democracy fosters civility, a common domain of values, institutions, and identity, at the expense of communalism. It equates nationalism with citizenship and the state with civil society. All citizens, irrespective of their national or ethnic origin, are considered equal nationals."*[152]

Although transitioning to democracy from a dictatorship faces numerous challenges, a consideration needs to be given to the challenge that liberal-democracy would face in a divided society such as Iraq. The issue would be that a numerically larger group could use elections and other legitimate democratic methods to safeguard its authority which could lead to a tyranny of the majority.[153] Liberal democracy relies on an ever-changing majority to avoiding such tyranny. This ever-changing majority is achieved through diverse coalitions of political parties becoming provisionally unified on the foundation of collective political, economic, social and other goals, where they unite and divide to safeguard that all voices are eventually acknowledged and

[148] Batatu, H. (2004) *The Old Social Classes & The Revolutionary Movement in Iraq*. Saqi Books, pp.24-26.
[149] Baram, A. (2000) The effect of Iraqi sanctions: Statistical pitfalls and responsibility. *The Middle East Journal*, *54*(2), 194–223.
[150] Dawisha, A. (2005) The Prospects for Democracy in Iraq: challenges and opportunities. *Third World Quarterly*, *26*(4-5), 723–737. pp.725-726.
[151] Tripp, C. (1999) *Building toward crisis: Saddam Husayn's strategy for survival.* International Affairs. Oxford: Oxford University Press.
[152] Smooha, S., & Hanf, T. (1992) The Diverse Modes of Conflict-Regulation in Deeply Divided Societies. *International Journal of Comparative Sociology*, *33*(1-2), 26–47.
[153] Byman, D. (2003). Constructing a Democratic Iraq: Challenges and Opportunities. *International Security*, *28*(1), 47–78.

considered, or at least have the potential to be heard.[154] The success of majority rule is achieved when the majority transitions from election to election for example frequently in the US and other liberal-democracies. In societies that are divided such as Iraq, voting blocs become more rigid, and majorities are less likely to change as it is unified on a permanent variable. The issue then arises because the largest ethnic group never lose power, because ethnic group members are unified and often vote as a bloc.[155] This can create the potential for liberal democracy to produce illiberal results,[156] and marginalisation and exclusion becomes inevitable.

In the case of Iraq, due to the legacy of division based on sect, ethnicity and religion, if elections take place, the liberal-democracy the US seeks to bring to Iraq may cause a marginalisation of the minorities who are Sunnis and Kurds by a majority which are Shiite. Even if the US avoids elections to place a group of trusted leaders into authority, they will potentially be divided based on sectarian, ethnic or religious differences making governmental unity difficult to achieve. Therefore, the promise or idea of democratizing Iraq would face a huge implication as no previous Iraqi elite ruler has been able to peacefully unite Iraq through liberal understandings of co-existence and more common interests that preside over sectarian or ethnic interests.

Although liberal-democracy seeks to overcome this issue, the solutions may not be adequate in a society as divided as Iraq. The founding father of the US, James Madison presented a solution to these issues by cross-cutting identities of American citizens and expanding the electorate so that it would be harder for a single common interest to unite the populace to the exclusion of other concerns.[157] However, divided societies such as Iraq lacks such cross cutting identities, instead existing identities become more solidified by past conflicts and tragedies. This creates a political climate where individuals resonate predominantly through the line of ethnicity, sect or religion which then makes it difficult for other individualities such as class or other limited political concentrations to form political coalitions that cross groups.[158]

It should be noted that DP cannot be measured effectively through solely examining the broadcast promise of bringing democracy to Iraq, and the intentions of the US regarding DP. US democracy promotion needs to be measured by looking at the US actions on the ground in Iraq. In particular, US strategy and decision-making in response to the challenges and obstacles that Iraqi society and its ideals presented is fundamental in measuring how important DP was to the US and how reasonable US actions were in achieving their goals. The implications of transitioning deeply divided

[154] Ibid.
[155] Ibid.
[156] Zakaria, F. (2003) *The future of freedom : illiberal democracy at home and abroad*. New York.
[157] Byman, D. (2003).
[158] Ibid.

authoritarian societies into democracy is important to consider and will be crucial when setting expectations on the US elites on the ground in Iraq regarding the challenges of regime change and democratisation later in this study (Chapter 3).

Now I will move on to elite theory, which gives a better understanding of DP and imperialism together, through a substantiated explanation of how the US has been so consistent in foreign policy. The next section of the literature review will seek to understand what constitutes the 'Elite', with a brief background of its history, whilst exploring the different ways it is perceived to exercise power.

Elite Theory

Before looking at Elite studies regarding the US, it is important to acknowledge a brief background of the term *'Elite'* itself. The Elite concept and ideology dates as far back as the 17th century, before its rise and popularity in the US and UK later. This was a result of sociological enquiry through the work of Vilfredo Pareto. Pareto defined *'elite'* in two ways through ranking: giving the rich a 10, the poor a zero, the millionaire rich a 10, the well-off who owned thousands a 6, those who survived just about a 1 and those who had nothing 0. Pareto then decided that the branch of people who had the highest indices would be called the 'elite'.[159] The elite were spread into two types: the governing elite, and the non-governing elite who directly or indirectly play a part in government.[160] Society harbours a lower stratum that is effectively the non-elite, who do not concern government or affect them in influence, and a higher elite, which includes a governing and non-governing group.[161] Mosca was more direct in stating that there existed an organized elite minority, with an unorganized mass majority, so therefore: a ruling class, and a class that is ruled.[162] At the early stages of understanding the elite, it is clear to acknowledge that there is a great divide in the rich and the poor.

The reason elite theory and inquiry is crucial in contemporary US studies, is that the US is an advocate of democracy and the rule of the people. As mentioned above, the US also uses DP as a justification for most of its interventions abroad. The fact remains that the US has always defended interventions through altruistic explanations, therefore repudiating that it is imperial for self-serving reasons.

[159] Pareto. V. (1916*) The Mind and Society III* New York, pp1422-1423.
[160] Ibid, pp.1423-1424.
[161] Ibid.
[162] Mosca, G. & Livingston, A, (1896) *The ruling class*, McGraw-Hill, p.50.

It must be noted at this stage that there are numerous names given to the elites in elite theory. Scholars often refer to them as the following; *'the establishment', 'the elite'* and finally *'the ruling class'.* To clarify, I will be using the term 'the elite(s)' when referring to this class of people, whilst initially acknowledging how they are referenced by the authors who mention them in their studies.

The interest in studies around the elite originated with the work of *C. W. Mills* in 1956. Mills believed that there exist concomitant and related mutual interests between an organised elite group of people in society. These were the leaders, and decision makers of the military, corporate, and political branches of society. Mills also suggested that the average citizen is relatively powerless in comparison to such entities.[163] Mills illustrated that the elite are not solitary rulers. Instead, they work with the politicians, and other mid-level power-holding individuals, and those in congress along with older upper-classes who work alongside them in pursuing common goals.[164] Mills highlights that although political, economic, and military branches have joined forces to work together for mutual and beneficial goals,[165] they are not fully unified on all matters at all times. However, working together towards common goals is the dominant common factor in unifying them towards reaching their unified goals. There is an appreciation, that together they can all achieve more.[166] The elite can also make mistakes and miscalculated decisions; therefore, they are not perfect.[167] Although this study by Mills brings some form of enlightenment and begins an enquiry into the Elite, it has also been critiqued. Dahl critiqued Mills, as he believed that it was not possible to suppose the establishment and dominance of power by a set group, without basing the analysis on concrete decisions.[168] Hence, it is very important to study the process of power, as opposed to just inferring power based on the outcomes. Inferring power based on outcomes can seem more in line with conspiracy theory and leaves little substance behind such bold assumptions.

Domhoff refers to the ruling elite as 'the establishment,' that is basically a group of families cultivated from descendants of lawyers and bankers. Membership is based on wealth and input into social and cultural projects, with listed requirements of special schools and clubs.[169] This same group regulates major business enterprises through a firm control of the corporate economy, along with huge stock ownership.[170] Numerous institutions are funded by these elites, for example the CIA and FBI play a big role in securing their interests, as during tumultuous times, masses become

[163] Mills, C.W.1..W. (1956), *The power elite*. Oxford U P.
[164] Ibid, p.4.
[165] Ibid, pp.7-8.
[166] Ibid, p.20.
[167] Ibid, p.21.
[168] Dahl, R.A. (1958) "A Critique of the Ruling Elite Model", *The American Political Science Review*, 52(2), pp.463-469.
[169] Domhoff, G. (1967) *Who Rules America*. Prentice-Hall, p.35.
[170] Ibid, p.40.

impatient and policing is needed.[171] Most Importantly money is invested into think tanks and intellectuals, for example the Council on Foreign Relations (CFR) who then shapes and maintains US foreign policy. Therefore, affiliation by association means that the elite groups directly influence foreign policy. It is important to understand the significance in the formation of the elite and a few important factors that need to be acknowledged. The first crucial factor is that the elite are representing interests that are of an exclusive and minority few, meaning policies will disadvantage the majority. In addition, inside regulation and control of the economy and other areas is interestingly against democracy, equality and many other self-professed values of the US. Parry highlights that this monopolization by the elite minority regarding wealth and educational opportunity, contributes to maintaining elite domination in future generations.[172] The work by Domhoff and Parry highlight the existence of an elite system in the US, however there are studies that elaborate on this further.

Shoup and Minter bring further detail to elite studies through a significant elite branch: 'The Council on Foreign Relations' (CFR). The study discusses how the CFR had secretly and meticulously planned the policies of modern-day imperialism, and then brought them into government. [173] The argument in this study is that aggressive and expansionist policies were planned in the 1930s and onwards, with Vietnam being planned in the 40's and 50's. According to Shoup and Minter these capitalist decision makers acted on their own interests, through a CFR formed by a group of wealthy businessmen, designed to fortify the US for an imperial role on the world scene in the wake of WW1.[174] It is fair to say that before the US rise to power, the UK was dominant not just through its colonial empire but also its sphere of influence, with the US taking charge from 1919. The first observation to ponder on from the study, is the fact that the Chairman of the CFR in 1977 was David Rockerfeller of Chase Manhatten Bank.[175] The Director of 40 years at the time the book was published was Allen Dulles, who influenced and pioneered the establishment of the CIA.[176] In addition to this, John Foster Dulles was a CFR member and also ran the Department of State whilst Henry Kissinger also started his political career at the CFR as a rapporteur.[177] There is importance in these observations, these individuals are Wall Street lawyers, Ivy League scholars and high government officials from affluent backgrounds. They shape US foreign policy after discussions and debates amongst themselves, and then make sure their outcomes reach policy makers and leaders

[171] Ibid, p.131.
[172] Parry, G. (1986) *Political elites.* London, Allen & Unwin.
[173] Shoup, L.H. & Minter, W. (2004).
[174] Ibid, p.3.
[175] Ibid.
[176] Ibid.
[177] Ibid.

of opinion.[178] The council members are nepotistic in the transferring of leadership, as future leaders are (once educated) carefully conditioned and then chosen. There is theoretical implication here as the CFR counters the concept of democracy, and clearly acts in the interests of an exclusive minority of individuals. Parry states that there are two cores and a third sector: the outer core who are listened to or consulted, and an inner core that make decisions. This is followed by a third sector who may be violently suppressed or at best marginalized.[179] Statistics in the study then stated that 45% of those who served as foreign policy officials, also served as members of the CFR with CIA amongst leading members.[180] The members of this CFR were from affluent backgrounds, most of them were from business or legal sectors, with a post WW2 vision of dominating the world globally.[181]

The study by Shoup and Minter provides an understanding for the imperial creed of the US and the origins of its consistent foreign policy. A study declaring that a corporate elite minority make decisions in the US for their own economic and class interests, whilst utilizing machines of the media to shape public opinion, is worrying for the reputation of democracy in the US. A non-democratic and elitist US would find it difficult to justify interventions abroad in the name of DP, as its own domestic democracy is rendered redundant. At this stage, firm conclusions cannot yet be made, further studies need to be examined. However, it will be stated that elite theory provides a credible explanation for the consistency of US foreign policy. Regardless of Presidents and their different administrations, interventions abroad in the name of democracy and the rise of free-markets have remained consistent.

Parmar produced a very significant piece on think tanks and power in foreign policy, stating that the two organizations that came out of Paris in 1919 both went on to become the most respected, influential and prestigious organizations in the study of foreign affairs.[182] The significance of think tanks, proved formidable in shaping foreign policy. Think tanks are a huge source of influence in foreign policy, very often they are the experts that decide key decisions. The investments by US businessmen in intellectual organizations, and the channels they publish through (Journals), are the backbone of US success. The CFR was heavily funded by the Rockefeller foundation and the Carnegie Corporation, who as corporations were particularly interested in international studies.[183] Parmar mentions how extensive studies of the foundations indicate that funding is dedicated to benefitting existing elites. These elites act as gatekeepers of ideas, through selective financing and

[178] Ibid, p.6.
[179] Ibid, p.34.
[180] Ibid, p.58.
[181] Ibid, p.118.
[182] Parmar, I. (2004) *Think tanks and power in foreign policy : A comparative study of the role and influence of the Council on Foreign Relations and the Royal Institute of International Affairs, 1939-1945.* Basingstoke: Palgrave Macmillan, p.3.
[183] Ibid, p.38.

endorsing of certain types of research over others.[184] However the secrecy, has brought great question to whether these means comply with or contradict democracy. Parmar highlights that democracy equates to openness, however the CFR and Chatham house are semi-secretive, meaning an elite from particular affluent social backgrounds are the decision makers.[185] Hence the US has been accused of subverting democracy for interests of business. The aim here was a post war order that makes the world friendly for capitalism, and Anglo-American domination. One should note that a democratic system, democratic by name only, fails to represent the will of the people. This also declares a failure of democracy, and a position of hypocrisy for the US. Supplementary to this, is the fact that the US has selected elites who organize, plan and strategize behind the scenes secretly, gives further substance to the self-serving intentions of the US elite decision-makers.

Two questions arise regarding whether the US national Interest, is actually 'national' interest. If yes, then why must it be pursued by war? Another question also arises regarding the origins of the 'uncompromising' war mentality. Why is America so competitive on the international stage and so poised to dominate by any means necessary? Barnet answers many of these questions with a meticulous study on the 'Roots of War', which brings an alternative elaborate explanation regarding the US and its decision makers. Barnet brings a reference to George Lichtheim, with the statement that the empire is not complete without some sort of imperial creed by its governing class.[186] Barnet claims this imperial creed has been present since 'manifest destiny' to the 'American century' through 'world responsibility'. The study focuses on the influence of the backgrounds of decision-makers on their decision-making. The US destiny as highlighted by Henry R Luce, was to be the most powerful nation in the world by any means necessary, to spread its ideals globally.[187] This imperial creed has a pivotal feature that must not be overlooked. The US uses rhetoric that conceals imperial ambition and instead uses the altruistic discourse of divine responsibility to gain national consent.[188] The highlight of Barnets study is the education behind the governing class, with a clear bureaucracy in the national security departments of the US. First and second level posts in the national security departments were held by 400 people who self-define, self-select and perpetuate in rotating posts.[189] Such decision makers all held in common that they were from wealthy parents, and were from the banking and legal sectors, proving that an exclusive club has been in charge of the US foreign policy for a generation.[190] Positions are interchanged, with like-minded individuals taking posts to maintain and run the traditional narrative. Each recruit

[184] Ibid.
[185] Ibid, p.4.
[186] Barnet, R.J. (1973).
[187] Ibid.
[188] Ibid, p.19.
[189] Ibid, p.48.
[190] Ibid, p.49.

receives conditioning and education, in timely and expensive ways to make them capable of making elite judgments.[191]

A significant highlight of Barnet's study is that this elite group are imperial in their agendas, this is very important regarding my study when connecting imperialism to elite theory. I argue that in order to explain US imperialism, it is essential to understand those who influence foreign policy. The notion that elites have imperial corporate goals, and that they use US foreign policy to achieve those goals, provides a meticulous explanation for the intended outcomes of US imperialism, and the way that the US exercises power. In turn, this brings clarity to the question of what the nature of US imperial power is.

Hodgson made some interesting observations about the values of the establishment. Hodgson cited that the elite opposed isolationism, and believed that force should be legitimized when needed, in order to serve US Interests.[192] The US elite were anti-communist and pro-capitalism, with a great admiration to use force without letting morality cause inertia.[193] After the Vietnam war, it was established that the decision to go to war was made in haste from the CFR. However, despite this, the US were still committed to the war.[194] As a result of the Vietnam war, the elite influence was partially lost, and their credibility came into question. However, this did not significantly worry the elite, who continued to be influential. The elite were heavily criticized for their part in the Vietnam war, not just for their decisions, but also for their existence. Halberstam highlighted that because the positions and traditions of decision making were inherited, it led to overestimations of US power and capacity with an air of invincibility in their positions that made them ignore the US populace. [195] In his work entitled *Years of Upheaval,* Kissinger stated that the Vietnam war had demoralized the establishment, in the process losing elements of self-assurance and direction.[196] Destler, Gelb and Lake also highlighted the internal fragments of the establishment and how it lost the consensus it once had in US foreign policy, along with the cognizant credibility that came with it.[197] One crucial point to make however is the fact that the establishment or elite is not in competition with the state nor does it need to be, Parmar elaborates on this. In the challenge for state power, studies contend that the state still possesses power and that elites are not in full and absolute control. Parmar highlights that the elites and the state work together, utilizing each other

[191] Ibid, pp.50-51.
[192] Hodgson, G. (1973) The Establishment. *Foreign Policy, (10), 3-40.*
[193] Ibid, p.10.
[194] Ibid, p.16.
[195] Halberstam D. (1973) *The Best and the Brightest*. New York, Random House.
[196] Kissinger H. (1982) *Years of Upheaval.* Boston, Little Brown.
[197] Deslter, I,M, Gelb, L,H. Lake, A. (1984) *Our own worst enemy the unmaking of American foreign policy*. New York, Simon and Schuster.

to reach mutual goals.[198] It can be stated that there was not really a contest between the state and these groups, as they had similar (if not identical) views and interests. The Council on Foreign Relations was chosen by the state above other groups as it was after all a pool of experts, which no government could ignore especially not in world crisis.[199]

One naturally questions the compatibility of this elite system with democracy, which is something that many scholars have addressed. Although democracy is agreed to be an open system of decision-making by the people, decision-making in this elite system in the US seems inconspicuous and secretive. Key argued that democracy could depend on competition amongst a set of conflicting upper classes, where issues that do not have a consensus amongst elites become decided by a vote from the masses.[200] Cohen propagated the idea that US policy makers ignore the general US public, and instead attempt to educate and condition the populace towards endorsing the policy maker's views.[201] Divine also backs this ideology in stating the US from 1920's onwards, had a body of committed internationalists who were separate, and isolated from the average man on the street. This ultimately created the inability for decision-makers to comprehend the US public voice regarding foreign policy.[202] May states that the US elite system, has disproportionate influence on the US foreign policy decision-making process. May brings forward the point that the populace is only consulted 'if and when' there seems to be a disagreement, between the members of the inner circle.[203] Therefore, despite promoting democracy, the US is not democratic itself. However, the US still intervenes in the name of DP. The question remains: how can a nation promote democracy if it is not democratic itself?

A more positive view of the elites is that they play a positive and formidable part in US foreign policy, despite the inconsistencies with democracy. Isaacson and Thomas have described the elite as able and selfless men, who were immune from politicians. This enabled US foreign policy to remain consistent throughout the years, as opposed to fluctuating between extremes. [204] The Six friends consisted of two bankers (Harriman and Lovett), two lawyers (Acheson and McCloy) and two Foreign Service officials (Bohlen and Kennan). This study gave the 'six friends' the credit for saving the US from isolationism. In addition, they not only saved Europe's economies after the war, but also saved them from Soviet domination. Schulzinger highlighted that the establishment had little faith in the democratic process, when it came to foreign policy, and therefore felt that it

[198] Parmar, I. (1995) "The Issue of State Power: The Council on Foreign Relations as a Case Study", *Journal of American Studies*, 29(1), pp. 73-95.
[199] Ibid, p.93.
[200] Key V.O. (1949) *Southern Politics in Sate and Nation*. New York, Vintage Books, p.180.
[201] Cohen B.C. (1973) The public's impact on foreign policy. *Political Science Quarterly*, 89(1).
[202] Divine R, A. (1967) *Second Chance: The triumph of internationalism in America during world war II*. New York Atheneum, pp.20-24.
[203] May E, R. (1968) *American Imperialism: A Speculative Essay*. New York, Atheneum.
[204] Isaacson W. & Thomas E, (1986) *The Wise Men: Six Friends and the World they made*. New York, Simon and Schuster.

should be left to well informed experts such as themselves.[205] Schulzinger, along with Isaacson and Thomas, present the heroic side of the elites regarding foreign policy, with great emphasis on the success of the US. Studies that cover the failure of the elites are also important to consider before deeming them a positive factor in US foreign policy.

The controversial part of elite theory is similar to that of imperialism, as the existence of the notion is denied and thoroughly contested by the US. Even within the elite there seems to be a division on the question of whether it exists or not. Mac Bundy openly doubted the existence of the establishment, even though he was a part of it. However, Vance who was a chairman of the establishment at the time confirmed its existence.[206] It is understandable why the US could not admit that an elite exists, as this would cause uproar amongst the masses, as such a concept is completely against democracy. One detriment to the legacy of elite theory is that initially, elite studies in the US did not provide adequate substance and instead based decisions on assumptions. This obviously led to critiques of the concept. Domhoff stated that an overrepresentation of ruling class members (elite) in economic and governmental posts, alongside their disproportionate wealth and income is evidence of ruling class power.[207] 0.5 percent of the population, who are from a very small social upper-class, are completely distinguished from the rest of the population in income and lifestyle.[208] The question arises of: how can the wealthy be where they are and have astronomical wealth, if it does not have groups in government or does not influence decisions directly? Dahl critiqued Mills and Hunter in similar statements, stating that you cannot suppose and confirm elite dominance, without examining concrete decisions, so it is not who has the most wealth, it is how the processes have enabled such a situation.[209]

Countering Dahl's critiques, Domhoff conducted a study of methods, establishing the existence of four processes that enable elite dominance in the US. The first example of elite domination is what Domhoff labels: the special-interest process. This is where various wealthy individuals, corporations and economy sectors utilize ways to influence the government to serve their needs.[210] This takes place through multi-faceted ways i.e. gifts, bribes, inside dealing, friendship and also promises of opulent future private-sector roles for compliant officials. The intended outcomes of the elites are tax breaks, favours, subsidies and procedural rulings that serve short-term interests of the ruling elite.[211] The second way, is the process of policy formation on larger, long-term issues such as

[205] Schulzinger R, D. (1984) The Wise Men of Foreign Affairs: The History of the Council on Foreign Relations. New York, Columbia Uni Press.
[206] Hodgson, G. (1973), p.3.
[207] Domhoff, G.W. (1979) *The powers that be: processes of ruling-class domination in America*. Vintage Books, New York.
[208] Ibid, p.3.
[209] Ibid, p.9.
[210] Ibid, p.25.
[211] Ibid.

influencing policy, both domestically and abroad. [212] The third way is the influence of the elite in the candidate selection process, where ruling class members can access politicians who are to be elected in office. This is an opportunity for politicians to make ties with elite members, and therefore become influenced in representing their will.[213] The fourth way is the ideology process, which involves the formation of policies that work in the favour of wealth, income, status, and the continued privilege of the elite class.[214] Domhoff created a shift in studies, bringing focus on the exercise of power through processes, as opposed to assumptions (which was what Dahl criticized as mentioned above). Such a study indicates elite influence and domination in US foreign policy, with examples in what seems to be a meticulous and deep-rooted process.

The majority of elite studies were around the 1960's and 1970's after the work by Mills, these studies predominantly covered periods before and up to 1970. It would be a fair to state that due to the discrediting of elites after the Vietnam War, and the exposure of elites and their undemocratic nature, their dominance was expected to alleviate. The question is therefore raised: What does the system look like in the millennium era and in the gap since the 1970's? Dye conducted a study to examine who was running America during the Clinton years in a 1993 study. Dye's first observation was that economic power was still concentrated with 4,300 people, who exercised authority over US national and industrial assets.[215] Dye noted that the trend of being born into authority holding positions still existed, however outliers also came into the blend. Dye illustrates how various politicians such as: Roosevelts, Rockefellers, Kennedys and Bushes were given endowments into politics, and how class status was a catalyst behind their careers.[216] However, exceptions emerged in the form of people like Ronald Reagan. Reagan was from a poor background, but became a figurehead through the film industry, then persevered into business pictures, to eventually then govern and become president. [217] However, the same wealthy group of people still own key financial corporations, with key positions still being acquired in nepotistic ways. Dye highlights the changes in corporation management, and other key positions where personal wealth is no longer an indication of economic power. Corporations now hire individuals outside of the elite, and government institutions also open certain posts in competitive fields and onerous positions. For example, a person is paid 80k a year in a role that handles $80billion.[218] Such a change is important to note, as it signifies that the elite may have acknowledged that bureaucracies do not always deliver the best financial results, and that competition may bring better recruits that

[212] Ibid, p.61.
[213] Ibid, p.129.
[214] Ibid, p.169.
[215] Dye, T. (1995) *Who's running America?: The Clinton years / Thomas R. Dye.* (6th ed.). Upper Saddle River, N.J: Prentice Hall.
[216] Ibid, p.60.
[217] Ibid, p.62.
[218] Ibid, p.49.

could bring better financial results. This shift is progressive for democracy as it means that there is a less secretive and closed off society. Historically, as mentioned above, managers of corporations were carefully selected and handpicked internally from families of the elites. The concluding factor however remains, that although there are these changes, the position remains that minority rule over the majority still exists to a very significant extent.

Similarly to Dye, Domhoff covers the period leading up to the millennium in his study, examining who rules the US 'in the year 2000.' Domhoff confirms that the owners and top-level managers of large income producing entities are still dominant power figures in the US. Their corporations, banks and other businesses form corporate communities, unified to dominate the federal government in the US.[219] Domhoff states that there is competition in the corporate community, and the government coalitions. However, elites are unified on matters regarding organized workers, liberals and any other threats or challenges that they may face as a collective.[220] The well organised structure and consistency over time, has enabled the elite to comfortably comprise into the 1% of the population that holds the rest of the nation's wealth. Although scholars highlight cohesion between government and the elites (as mentioned already), Domhoff states that the elite are critical of the government despite the support they receive. The elites view the government as a threat to economic freedom and growth.[221]

Definition of Elite theory for the rest of this thesis

Based on the reviewed literature, it is important to note that when examining the existence of a cohesive elite who dominate the political affairs of a society, a definition of who the elite are is needed in order to frame the rest of this thesis. After reviewing the literature, it is clear the elitist doctrine argues that in every society there is inevitably a minority of the population in existence who dominate decision-making in that society, this dominant minority cannot be controlled by the majority regardless of the democratic mechanisms that exist.[222] The members of the elite are always capable of potentially exploiting their power to serve in the interests of the elite's domination.[223] Based on the study by Shoup and Minter, elite theory contends that a group of individuals who are from affluent backgrounds (wall street lawyers, Ivy league scholars and government officials) ultimately decide on, and make key decisions in political systems, which for

[219] Domhoff, G. (1998). *Who rules America: Power and politics in the year 2000 / G. William Domhoff.* (3rd ed.). Mountain View, Calif; London, Mayfield Pub.
[220] Ibid, p.1.
[221] Ibid, p.4.
[222] Parry, G. (1986), pp.30-31.
[223] Ibid.

the purposes of my study will focus on FP. As mentioned above, these individuals are ideologically conditioned, placed through connections (and other means of elite self-perpetuation) in corporate roles, and eventually take up governmental roles. This enables them to make decisions in power which serve their own self-interests. This is through the conception that once elites are in decision-making positions, combined like-minded individuals would potentially make their interests effectively become US national interest. However, as mentioned in the above literature, elites have disagreements which is inevitable as humans naturally have differences in judgement and opinion. It must be noted that intra-elite disagreements are tactical and concern the smaller details regarding execution of their plans and ideas (tactical) and therefore not over the more fundamental details and strategies such as US hegemony and free-market capitalism. Alternatively, if elites do not make decisions directly themselves, then they assert their will through different means to influence FP, this would be in the form of think tanks and advisory positions. As Barnet mentioned above that these elites are imperial and undemocratic, this is significant for my study as I will using elite theory to explain the Iraq occupation as US elites used DP as a cover for serving their own economic and geo-political interests.

Rival theories

The first alternative theory is pluralism, which basically suggests that power is shared or divided amongst groups and classes, as opposed to a sheer single class domination.[224] The second (alternate) version of pluralism, is that power is rooted in a wide range of organized interest groups that share common economic interests i.e. bankers, labour unions, and industrialists. Pluralism, with regards to US society is the conception that power, or the ability to make decisions is diffused, and that negotiation is the method for decision-making.[225] Therefore, a negotiation or bargaining process is expected to exist in every field from health, to security, to labour, to education and so forth. However, pluralists believe that the elite do not make decisions in all areas, instead they make important decisions in key areas.[226] In responding to pluralists, elite theorist would say that pluralism applies to middle levels of power, and not the top-level. Pluralists, are therefore describing decision-making in some areas and not all.[227] Prewitt mentions Lathams[228] enquiry on pluralism; if the government rank most supreme over all other groups, then why must they appease other groups? Dahl's[229] answer is quoted by Prewitt, in that government officials may suffer if they do not appease organized groups, and therefore are obliged to follow a process of

[224] Ibid, p.9.
[225] Prewitt, K. & Stone, A. (1973) *The ruling elites: elite theory, power and American democracy*. Harper and Row, New York, London, p.114.
[226] Ibid, p.115.
[227] Ibid.
[228] Latham, E. (1965) *The Group Basis of politics*. New York, Octagon books.
[229] Dahl, R, A. (1956) *A preface to democratic theory*. Chicago, University of Chicago press.

order and appeasement towards organized groups. Prewitt gives an example of this in situations, where congress appeased numerous groups in the fields of highway-building legislation and bank merger legislations etc.[230] However, one cannot underestimate the significant victories that interest groups attained in feminist policies, civil rights movements and other areas that supported individual and group freedoms and rights. Neo-pluralists believe that a new liberalism has developed through citizen lobbies,[231] but can this be applied to the corporate world? In addition to this question: are these interest groups really impartial and autonomous in decision-making, or do they have an element (even if slight) of influence from the elites? Robinson confirms that key policy formation groups are funded by large foundations, that belong to the moderate-conservative camp of the corporate community.[232] The fact that the corporate community invests heavily in influencing public opinion through multi-channel means, renders the pluralist case very weak.[233]

Riesman[234] is referenced by Domhoff, in declaring that no group has absolute power in the US. However, all groups have the capacity to veto policies that stand against their interests. Group theory deposits that power is dispersed into numerous groups that represent diverse interests, if interests are not represented by the groups then the state may not necessarily represent those interests. The state therefore plays the role of an umpire in a way, where it oversees group struggles.[235]

The criticism of group theory according to Prewitt, is that there is too much generalization based on limited studies; the cornucopia of decisions in the US makes it hugely difficult to measure.[236] The crucial acknowledgement that needs to be made at this stage, is the fact that decision making undoubtedly varies in different branches of government. Decision making is diverse and individual in each of the sectors from commerce, to medical care. Due to the copious amounts of decisions, it is difficult to analyse the whole decision-making process. Prewitt also critiques Dahl and Latham for being generic in their case study projects. Lowi[237] adds that pluralism fails to acknowledge the decisions are made differently in various sectors and therefore bring respective implications to power. Lowi highlights that pluralism applies to distributive, regulatory and re-distributive decisions i.e. statute enactments. Interestingly Schattschneider[238] (also referenced by Prewitt) makes it clear that the upper class get into interest groups, but the lower

[230] Prewitt, K. & Stone, A. (1973), p.117.
[231] Berry, J. (1999) *The New Liberalism.* Washington, Brookings Institution press.
[232] Robinson, M. (1993) The Ford Foundation: Sowing the Seeds of a Revolution. *Environment: Science and Policy for Sustainable Development, 35(3), 10-41.*
[233] Domhoff, G.W (2002) The power elite, public policy and public opinion. found in J Manzz, F.cook & B,Page (Eds) *Navigating public opinion: Polls, policy and the future of American democracy*. New York: Oxford University Press.
[234] Riesman, D. (1961) *The Lonely Crowd,* abrogated edn. New haven, Conn, Yale University Press.
[235] Prewitt, K. & Stone, A. (1973), p.119.
[236] Ibid p,120.
[237] Lowi, T. (1964) "American business, public policy, case studies, and political theory" *World politics*.
[238] Schattschneider, E, E. (1960) *The semi-Sovereign People.* New York, Holt, Rinehart and Winston.

class less so. Pluralism lacks analysis from a historical perspective, as history has not been a constant episode of capitalism as Mann highlights.[239] Humanity did not begin with self-motivated individuals who only served their own interests, creating private markets and requiring an umpire to regulate amongst individuals and groups.

In evaluating pluralism at first instance, it is clear that it explains decision-making to a certain extent, failing to explain all types of decision-making processes. For example, I agree with Lowi that different areas have diverse power relationships, meaning that different ways of making decisions exists. Therefore, pluralism does not explain everything. With regards to my study, US commitment to intervention, dominance and DP have been dominant themes for over a century. Where does the consistency come from? Surely if pluralists were to answer this they would struggle, as despite numerous administrations and presidents US foreign policy has remained the same.

State centred theorists believe that the government has the power to dominate or shape private groups, with great independence and autonomy in its actions. The state carries this out by monopolizing legitimate force at home domestically, and also uniquely defending the nation from outside rivals, and through taxing powers.[240] State autonomy theorists have a tendency towards pluralist explanations. Although this is done unintentionally, as studies by Skocpol testify.[241] When state autonomy theorists confess that experts provide the majority of policy ideas, they do this in a way that fails to acknowledge that such experts are selected, educated and developed by a policy making organization. In such processes, any new ideas they bring forward will be reviewed, amended and then sanctified by corporate leaders before acceptance. Therefore, state autonomy theory makes sense and brings notion of state sovereignty which is partially correct, but the question has to be asked: Who controls that state? Where have these individuals come from? Are there any trends? This is where the direction of explanation then turns back towards elite theory, in providing a more substantiated explanation. There has to be a greater enquiry than to accept that the state is the final and absolute power. Acknowledgement of how the state was formed, and who in actual fact formed it, is needed. If it is elected officials, then pluralism takes charge. This is not a new criticism, as Skocpol has mentioned that the state is 'potentially autonomous,' meaning prima facie the state is not autonomous fully and absolutely.[242]

[239] Mann, M (1986) *The sources of social power: A history of power from the beginning to AD 1760 Vol* 1. New York, Cambridge University Press.
[240] Domhoff (1998), p.10.
[241] Skocpol, T (1995) *Protecting soldiers and mothers: The political origins of social policy in the United States*. Cambridge MA Harvard University Press.
[242] Skocpol, T. (1980) Political responses to capitalist crisis: Neo Marxist theories of the state and the case of the New Deal *Politics and society, 10 p155-202.*

Institutional elitism claims that power is lodged in the largest organizations of society. The theory suggests that elites are inevitable in any large society based in bureaucratic organizations, but it does not contend that these elites are unified and highly self-conscious. These elites are not intellectually or morally superior to non-elites, and non-elites are not powerless. In fact, they do as a matter of fact on occasions have the power to set limits on the actions of elites.[243] Dye is a leading theorist in this field, highlighting that politicians have power, but a few hundred large corporations have great power as well.

Another alternative theory is Marxism, which basically critiques capitalism as an economic and social system, that emphasizes the clash between social classes rooted in opposing economic interests.[244] Marxism calls for a social order that removes private ownership of income producing property and replaces the economic market place with government planning. Marxism basically states that history begins with a creation of tools and machinery ("forces of production"), which creates an environment where the number of goods produced, outweighs the number of goods consumed. This then creates a foreseeable issue of how to distribute the surplus numbers. With transitions of production means, there is an increasing division of labour, as well as increasing conflict over the ownership and control of the machinery ("relations of production"). Society then ultimately divides into owners and non-owners. In aiming to maximise productivity (which leads to more profit through efficiency), increasing exploitation of the non-owners takes place. History initially termed the non-owners as slaves (alongside terms such as serfs, peasants and employees). This is the class struggle that is referenced in Marxism.

Historical materialism poses the assumption that the development of the "forces of production" influences the basic structure of the "relations of production". The relation of production then effectively shapes political institutions, customs, ideologies and other ideas about the world.

This economic structure enables a "state" to be developed by the owners, to protect themselves, and their private ownership of the means of production.[245] When this socioeconomic system advances to the highly productive stage of development, which is capitalism, the economic surplus is "appropriated" from workers as "profits".[246] This is done through the fair social institution known as the "market", which replaces the direct and coercive forms of appropriation used in earlier social systems. The fairness of the market is questionable, as it has a strong tendency to push wages to a subsistence level, due to the fact that there are always more workers than actually necessary. The

[243] Domhoff (1998), p.11.
[244] Ibid, p.12.
[245] Ibid, p.13.
[246] Ibid, pp.13-14.

powerlessness of workers, which forces them to sell their labour power in order to survive, underlies what most economists celebrate as a "free" market and makes profits possible.[247] The fact that workers have to be property-less and powerless for capitalists to make profits is one of the major controversial points theoretically, and morally, between liberals/pluralists and Marxists. Pluralists deny or ignore this claim, which is morally offensive to Marxists because of their concern with equality and social justice.

For market's usefulness as a method for organizing a highly productive and flexible economy, classical Marxism asserts that its exploitative nature generates increasing discontent in workers, both in terms of psychological alienation (due to having their creative energies controlled by owners) and sociological despair (due to low wages and poor working conditions).[248] As workers come to realize their common plight, they join together to form unions and political parties. In the context of more and more economic crises, such as depressions or runaway inflation, they also realize they have the knowledge and experience to organize a fairer and more humane social system. They struggle to replace the capitalist system with a cooperative one called "socialism," in which the means of production are owned by everyone through cooperatives and government. In addition, the market is replaced by democratic planning, through democratically elected governments.

Although workers do not understand this fact at first, socialism and then communism, a more advanced stage of socialism, is inevitable according to classical Marxists. This is because the economic problems, and social conflicts that develop within a fully mature capitalist system, are unsolvable. Capitalism thus contains within itself the seeds of its own destruction. However, the apparent fairness of the market, and the pervasiveness of capitalist ideology mask this fact from workers. It creates in them a "false consciousness" about their best interests, that is only gradually overcome. The aim of Marxist political parties is to help workers overcome their false consciousness, and replace capitalism, which is the task that has been assigned to workers by the historical process.[249]

Elite theory explains the consistency of US Foreign Policy

Elite theory adequately explains the consistency of US foreign policy, for the last century. In this period, the US has consistently intervened in nations abroad, using DP and other altruistic reasons as justifications. Simultaneously, the US has also supported dictatorships, despite promoting and

[247] Ibid.
[248] Ibid.
[249] Ibid, p.14.

exporting democracy, and using the concept of DP as a justification to intervene. There is a clear trend that indicates the US promotes a low-intensity, free-market democracy, where the running of the economy is exempt from populace influence. The free-market democracy creates freedom for corporations in numerous ways: allowing them to operate freely, with minimal laws and regulations regarding foreign ownership, and exportation of profits. The democratic systems that have chosen to go against the interests of the US, for example Chile (as mentioned above), then such democracies were to be replaced by US friendly dictatorships that would uphold US interests.

The concept of imperialism is controversial, and in modern times imperial admissions would cause upheaval in the international community. In foreseeing this, the notion of DP, its progressive, noble and credible appeal were used as a justification to intervene by the US. The literature reviewed highlights three key factors. Firstly, the US has failed to deliver on its promises historically, in bringing effective democracy. Secondly, the US has given priority to the creation of free-market political systems and has been successful. Thirdly, any nation that has become a threat to US interests has been intervened in, often in various ways.

Elite theory is extremely useful for my study for two very important reasons. Firstly, if the US is not democratic in its decision-making, then this is a great theoretical implication for the US as it justifies war in the name of DP. The question of how can the US promote democracy, when it is not democratic arises? Secondly, elite theory explains that US foreign policy is dominated by a wealthy and exclusive elite. This develops into US foreign policy being heavily influenced by corporation interests, which aims for more profit through wider transnational presence and dominance. Therefore, US foreign policy is corporate foreign policy. In addition to the US foreign policy being corporate policy, it should also be noted that this consistency is no accident. US power globally, has been achieved through planning that started over a century ago.

Stephen Kinzer, in his 2006 book *Overthrow,* studied US Foreign Policy from Hawaii in 1893 to Iraq in 2003. In 110 years, the US overthrew 14 governments that went against US interests for "ideological, political and economic reasons."[250] All the studies in Kinzer's book had the same traits and commonalities, Kinzer said there is a three-stage process that takes place in these coups:

"The first thing that happens is that the regime in question starts bothering some American company. They start demanding that the company pay taxes or that it observe labour laws or environmental laws. Sometimes that company is nationalized or is somehow required to sell some of

[250] Kinzer, S. (2006) 'Overthrow: America's Century of Regime Change from Hawaii to Iraq' Democracy Now! April 21, 2006. Available from: https://www.democracynow.org/2006/4/21/overthrow_americas_century_of_regime_change (Date accessed 10th August 2017).

its land or its assets. So the first thing that happens is that an American or a foreign corporation is active in another country, and the government of that country starts to restrict it in some way or give it some trouble, restrict its ability to operate freely." "Then, the leaders of that company come to the political leadership of the United States to complain about the regime in that country. In the political process, in the White House, the motivation morphs a little bit. The U.S. government does not intervene directly to defend the rights of a company, but they transform the motivation from an economic one into a political or geo-strategic one. They make the assumption that any regime that would bother an American company or harass an American company must be anti-American, repressive, dictatorial, and probably the tool of some foreign power or interest that wants to undermine the United States. So the motivation transforms from an economic to a political one, although the actual basis for it never changes."

"Then, it morphs one more time when the U.S. leaders have to explain the motivation for this operation to the American people. Then they do not use either the economic or the political motivation usually, but they portray these interventions as liberation operations, just a chance to free a poor oppressed nation from the brutality of a regime that we assume is a dictatorship, because what other kind of a regime would be bothering an American company?"[251]

Is Kinzer's description applicable to Iraq in 2003? What happened in Iraq? As I mentioned at the beginning of this introduction, this study will analyse the actions of the US in Iraq as those of an elite who serve their own narrow interests using democracy promotion as the cover. This study will measure US broadcast intentions of the US in genuinely promoting democracy, bringing freedom and a system that upholds the rights of Iraqis and protects them against what actually happened on the ground. If the US delivers its broadcast promise in compliance with the UNSCR, its actions do not represent a self-serving elite who serve their own narrow interests. However, if the US fails to keep its promises, and its actions show that it prioritised an alternative agenda, then occupation was used to serve the interests of a minority US elite. Using elite theory, my study will determine the nature of US power in the occupation of Iraq.

The Unique nature of my argument and overall study

My study will provide detailed analysis of how the US exercised power in Iraq. I will initially establish that although the US promotes democracy, the existence of an exclusive elite in the Bush cabinet illustrates that the US does not follow democratic means in decision-making itself. My research will initially establish who these elites were, what they had in common, what they thought

[251] Ibid.

about Iraq and what they said they would do In Iraq. From this section of my study (Chapter 3), I will set expectations on these elites, regarding what I expect them to do in Iraq. We already know that the broadcast justifications for the Iraq War were altruistic, being that US would bring democracy and freedom to Iraq. I will use the promises made by these elites and measure them against the decisions they took on the ground in Iraq, to assess whether their promised theory met actual practice.

My argument is novel for more reasons than one. Firstly, regarding elite theory, after establishing the dominance of corporate influence and presence in the 2003 Iraq War Bush elite decision-makers, my study will provide a decision-based case study illustrating how elites sell wars to serve their own interests. I will examine how elites used carefully selected rhetoric, using DP (amongst other reasoning of which I will elaborate on later in the study) as a means to sanctify invasions which in actual fact are solely to serve their own interests. I will illustrate this by examining constitution making in Iraq (Chapter 4). This part of my study will show that the US acted illegally, undemocratically and neglectfully in the constitution making of Iraq, concluding that the constitution was a distraction for the world and for Iraq. The final constitution of 2005 brought more problems to Iraqis than it did solutions. The rushed and unprofessional climate in which it was made contributed to its flaws. I will then look at the decisions the US took in transforming Iraq's economy, in a meticulous and detailed chapter (Chapter 5), analysing how the main purpose of the Iraq War and occupation was to privatise Iraq's economy. In privatising Iraq's economy, I will analyse the decisions the US took, and therefore the actions on the ground, establishing that 'shock therapy' was used amongst other means. I will conclude this chapter by indicating that although the US failed to make Iraq a corporation friendly and thriving free-market, it did succeed in making copious amounts of money for US corporations. This was through non-competitive contracts being awarded to US firms, benefitting US corporations and therefore the US. In the process, I also bring evidence to how my selected elites (from Chapter 3), directly benefitted financially from the 2003 Iraq War, in the process establishing numerous conflicts of interests. I bring evidence to the fact that those who were strong advocates of the war publically, were amongst the beneficiaries, establishing that US foreign policy is dominated by the transnational goals of US corporations. Having established that the US served its own interests after these two chapters (Chapter 4 and 5), I then examine the legacy of democracy left in Iraq. The democracy that was established in Iraq was one of dysfunctionality, inconsistent with the constitution of 2005, and a failure in upholding or protecting the rights of Iraqis. Instead, Iraq's democracy is also elitist, where a divided minority are united in ruling Iraq through sharing its power through the control of its natural resources. In the final chapter, I conclude that the mechanics of the 2003 occupation of Iraq was the decisions of a

minority elite who served its own narrow interests using democracy promotion as the cover.

Chapter outline

Chapter 1**:** Introduction (Elite Theory, Democracy Promotion in Iraq and Imperialism)

Chapter 2**:** Theory, Methods and Cases

Chapter 3: Elite background Study of the Bush Cabinet and their world-views

Chapter 4: Elite Decisions in Iraq CPA Case Study 1.0: The Drafting of The Constitution and its Finalisation

Chapter 5: Elite Decisions in Iraq CPA Case Study 2.0: Decisions to transform Iraq's economy, contracts awarded and missing money

Chapter 6: The legacy of Democracy and its implementation in Iraq

Chapter 7: Conclusion

Chapter 1: Introduction and background

Chapter one will begin with my hypothesis, followed by a critical review of the literature. The review of the literature will cover the key concepts and theory of this study: elite theory, democracy promotion and imperialism. It is important that the key literature in all three fields is examined, highlighting issues, gaps and opportunities. The chapter will then state the importance and unique nature of my study, and why my argument is novel. The introduction will finish by setting the agenda, and structure for the rest of the study.

Chapter 2: Theory, Methods and Cases

This chapter will present the blue print of how I will address the question of my thesis. I will discuss and present my selected methods, which will include why these methods have been chosen and how they will be utilised in my thesis. The methods section will illustrate not only how the issues will be addressed, but also the meticulous thought process that was behind the decisions taken in my approach.

Chapter 3: Elite background Study of the Bush Cabinet

The chapter also shows the domination of elites, their mind-sets and the networks they are part of and how their existence and domination in US politics is antithetical to democracy. This will be displayed through biographical studies, Membership Network Analysis and content analysis of those in the Bush cabinet who influenced decisions regarding the Iraq War. This chapter will

establish who they were, where they were from, and what influenced them. Based on meticulous research and analysis, I will then conclude by establishing how I would expect them to act in Iraq. This chapter will give insight into the decision makers who influenced or made decisions, before and during the war. The elites analysed will include decision makers from Washington, and also those who were on the ground (i.e the CPA staff). The conclusions of the chapter, and therefore how the elites were expected to act in Iraq will then be measured thoroughly in the empirical sections of my study (Chapters 4, 5 and 6).

Chapter 4: Elite Decisions in Iraq CPA Case Study 1.0: The Drafting of The Constitution and its Finalisation

This chapter will start by looking at rights the US were legally granted as per the United Nations Security Council Resolutions, and subsequent international treaties and laws. I will then assess the legalities of US actions. This chapter will then look at the intentions of US decision makers by analysing decision making on the ground in Iraq. In the process the inception of the Iraqi Governing Council, the role of the Iraqi elites which were selected and had previously worked with the US before the 2003 war will be examined. The intentions of US decision-makers regarding the selection and appointment process of the Iraqi elites in the Interim Government will be analysed to establish whether democratic means were followed.

Simultaneously, in the same period the formation of the Iraqi constitution took place. This chapter will look at the drafting of the constitution, the clauses that were included and whether these clauses represented US interests, or the interests of Iraqis. The chapter will determine this by examining processes, selected laws, and drafts of the constitution. Then the chapter will conclude to establish how these factors eventually contributed to the finalised Iraq Constitution of 2005. In concluding, the chapter will evaluate the overall constitution making process, to establish whether the US elites served their own interests in the constitution making-process, or the interests of the Iraqi people.

Chapter 5: Elite Decisions in Iraq CPA Case Study 2.0: Decisions to transform Iraq's economy, contracts awarded and missing money

This chapter will look at the empirical evidence regarding US decisions in Iraq, directly after the US invaded. The focus will be around the case of the CPA, from its inception till it handed power back to the Iraqi Interim government. The actions of the CPA, and decisions that were taken by US elites will bring evidence to whether the US remained committed to its promises of promoting democracy and freedom or whether the case was otherwise. The decisions examined will be regarding the

financing and regulating of Iraq's markets and assets, which the CPA were in control of. The conduct of the CPA when in control of Iraq's economy will be examined collectively to establish the impact of such decisions, to then establish which party's interests were served, the Iraqi people or the US?

Chapter 6: The legacy of Democracy and its implementation in Iraq

In this chapter I will be examining the democracy in Iraq to establish whether the democracy left in Iraq, was consistent with the democracy the US promised to bring. In other words, did theory meet practise with regards to bringing the promised democracy and freedom. I will be analysing the practical empirical evidence, regarding the existence of democracy, for example elections and voting. I will analyse the impact of the constitution in practice, through examining the practicality of how rights are protected, for example rights to protest. I will also be assessing how Iraq's political system impacts average Iraqis, this will be done through examining the monopolisation of civil service roles by political parties, creating partisan institutions. This chapter will conclude by establishing that the US left a failed democracy in Iraq, and that establishing democracy was not the primary aim of the US in Iraq. Instead the elitist democracy of Iraqi is one where divided Iraqi elites are unified in sharing the control of Iraq's power through a resource sharing agreement between a minority elite. This chapter will also trace back the dominant Iraqi elites back to the original Iraqi elites that the US had worked with before the 2003 war, establishing their domination of Iraq as a direct result of the US occupation.

Chapter 7: Conclusion

This chapter will conclude based on evidence that the 2003 Iraq War and occupation was an example of US elites serving their own interests, using democracy promotion as cover. I will conclude on how the US used the notion of DP as a justification to intervene, to then use constitution making as a distraction in Iraq, where the real agenda was to privatise Iraq's economy through 'shock therapy'. This conclusion will be based on summarising the evidence which shows how the US promises of democracy and freedom were not kept. This chapter will conclude the failure of the US intention of handing the governance of Iraq over to a group of Iraqi elites that it had worked with before the war, whilst directing them to draft Iraq's new constitution. Instead the Iraqi populace rose against this but failed to prevent Iraqi elites from finalising Iraq's constitution and dominating Iraq's political system for the next sixteen years. The chapter concludes that the US

elites meticulously carried out actions that served its own interests, benefitting hugely in the process. The US failed in recreating Iraq into becoming a flourishing, free-market democracy, but instead succeeded in establishing a new market, which is currently most profitable market in 2019. This is the market of war and chaos, and how it is more profitable than DP. In this conclusion, I will also establish how the US in breaking its promise, tainted the future of DP, and its noble nature.

Chapter Two: Theory, Methods and Cases

Having reviewed the literature of democracy promotion, imperialism and elite theory in the previous chapter (Introduction), I will now present the methods that I will be using to address my research question. In re-iterating the question of whether the 2003 Iraq War and Occupation was a case of US elites using democracy promotion to serve their own narrow interests, one should note that the question of my study is a question of whether theory met practice. Although the main broadcast intention of the US going to war in Iraq was weapons of mass destruction, the US also strongly used the rhetoric of promising to bring democracy and freedom to Iraq. In examining how US power operates in action, the question is whether the United States (US) delivered on their promise of bringing democracy and freedom to Iraq? Or did something that was previously unstated, and completely undeclared occur, which was contradictory to the promises made. As mentioned previously, the question of this study is whether the decision-making elite of the US intended to dominate and control Iraq in both the short and long term for the interests of US elites, or whether the US decision-making elite intended to bring democracy and a system which protected the rights of Iraqis as broadcast to the world and directed by international law through the United Nations Security Council Resolutions (UNSCR) 1483 which provided responsibilities, obligations and regulations to adhere to through The Geneva Conventions of 1949 and The Hague Conventions of 1907. The process to determine whether democracy promotion was used as a cover to legitimize the occupation by elites who were serving their own narrow financial interests will be elaborated upon in this chapter. The empirical chapters will elaborate on the international laws that apply specifically to the decisions of the US in the constitution making process (Chapter 4) and the decisions of the US in privatizing Iraq's economy (Chapter 5).

There are two beneficiaries that sit on either end of the spectrum. With regards to elites using the occupation to serve their own narrow interests, the question is whether the US intended to dominate and control Iraq, in both the short and long term, directly for the benefit of US elite interests. When referring to US elites serving their own interests, this is the notion that elites have imperial corporate goals, with embedded corporate mentalities where they use US foreign policy to achieve these goals. As elite theory explains that US foreign policy is dominated by a wealthy and exclusive elite. This develops into US foreign policy being heavily influenced by corporation interests, which aims for more profit through wider transnational presence and dominance.
If the occupation is servile to US elite interests, then US decision-makers, and other US elite interests would be the beneficiaries. On the opposite end of the spectrum is the question of

whether the US intended to bring democracy and a system which protected the rights of Iraqis to Iraq. The second part of the question is whether democracy promotion was the main or dominant aim of the war and occupation. If the elites keep their broadcast promises and adhere to the UNSCR, the Iraqi people would be the real beneficiaries. This would be evidenced through Iraq having a functioning democratic system that protected the rights and freedoms of its citizens.

Studying Power – Defining the Concepts to study power

I will initially start by looking at some of the ways in which power is defined and studied, before discussing the methods I will be using for my thesis. Lukes defines power in three various faces or dimensions. To illustrate Lukes conception of power, I will (similar to Lukes) label the power bearer as: 'A,' and the subject of this power, or the one A exercises power over as: 'B.' Lukes gives the definition of power as a situation where A exercises power over B when A affects B in a manner that contradicts B's interests.[1] The definition by Lukes originates from Max Weber's work,[2] where he established that within a social relationship, power means to advance one's interest in every occasion, regardless of resistance. Lukes elaborates on his conception of power and presents this in three dimensions. On the most basic note of understanding, the US asserting its will in Iraq to advance its own self-interest constitutes the exercise of power. Lukes states that there are three dimensions of power, which need to be understood.

The first-dimension of power according to Lukes is established by looking at the outcome of the decision-making process, where those who have prevailed in the decision-making (i.e. attainted their desired outcome) are the ones who are in power.[3] As Lukes quotes Polsby to term it simply, this is a pluralist approach where the outcomes are studied, to establish who prevails in decision-making.[4] Lukes references Dahl, who takes an approach where those who have the greatest proportion of successes in a selected number of cases, are considered the most influential.[5] Therefore to summarize, those who get their way can be said, according to the 'one-dimensional view' to be in power. In a practical example A generally exercises power over B and dominates through A's superior resources and power.

The two-dimensional view by Lukes illustrates that studying decisions needs to acknowledge the ability of the media to set the agenda where decisions can be made.[6] In this view, power lies in the ability of the media to intentionally or unintentionally place barriers in the attempt of shaping

[1] Lukes, S. (2005) *Power: a radical view*, 2nd edn, Palgrave Macmillan, Basingstoke, p.37.
[2] Weber, M., Roth, G. & Wittich, C. (1968) *Economy and society: An outline of interpretive sociology*. New York: Bedminster Press.
[3] Lukes, S. (2005), p.17.
[4] Ibid.
[5] Dahl, R. (1958) A Critique of the Ruling Elite Model. *The American Political Science Review, 52(2), 463-469.*
[6] Lukes, S. (2005), p.20.

public perception.[7] An example of this is where A presents or enforces barriers at the expense of the participation of B, through the removal of options that represent B's interest where the only options available represent A's interests creating a bias in decisions and a fix in outcomes.

The three-dimensional view of power is the ability of those who have power to manufacture and manipulate the wishes and aspirations of subjects they aim to influence, this is done without the subject's knowledge.[8] An example of this would be if A influences through any channel necessary (media, education etc) the entire perception of B regarding a certain topic. For example, in terms of the Iraq War, A may create a certain image or opinion in the public eye regarding Iraq having weapons of mass destruction, making B consent based on false information or manipulation of B's insecurities.

The dimensions mentioned by Lukes are useful in understanding the basic tenets of studying power, however it needs to be acknowledged that there are also undetected dimensions of power. I will elaborate later in this chapter how power has a second face that is undetectable by pluralistic methods of inquiry. It should be noted that power is not always evident in concrete decisions, and that decision-making could be limited to only non-controversial matters (I will discuss this more below). Before looking at elite theory and methodology in relation to this study, I will outline and define the key methods of studying power as I will be reviewing the methods used by elite theory scholars and the impact of their research methods on their findings, and then how this will affect my study also.

Membership Network Analysis (MNA)

A network analysis provides an empirical picture of interconnections among key organizations and people in the power structure, and the operations of that network on policy issues.[9] MNA establishes connections/ relations between people in periods of time, which can then be analyzed in numerous contexts. MNA can establish power structures in the form of people to people (money, gifts and loans), people to institutions (gifts to foundations or taxes to government), institutions to people (this would be grants to researchers, or dividends to stakeholders) and institutions to institutions e.g. grants to think tanks or grants to foundations).[10] The example of the type of information sought from MNA is data that declares connections amongst a certain type of community. If there are overlapping memberships from amongst think tanks, social clubs

[7] Ibid.
[8] Ibid, p.25.
[9] Domhoff, W. (2006) *Who rules America?: power, politics and social change*, 5th edn, McGraw-Hill, Boston, Mass, London. pp.217-220.
[10] Ibid.

and education-based institutions, then this may indicate a certain type of class community existing (and also vice versa if the MNA does not indicate this). Additionally, for my research, the identification of a community would be used to then draw up expectations of how I would expect them to act, to then assess against the empirical evidence of Iraq. For my research, I will use MNA to establish how the elites I examined were associated and connected. Factors such as who the elites were, where they studied, how or if they were ideologically conditioned, what think tanks were they a part of, what other associations they held would be used to predict how they would act in decision making. The decision makers that will be analyzed will be those who played a part in the Iraq War, both in the buildup to the war and on the ground (this will be elaborated on later in this chapter).

Content Analysis is used in addition to MNA and is the second aspect of a power structure study. Content analysis studies what is said, written and done by members of the power network.[11] The content analysis can include a number of methods of analyzing the data, including: analysis of speech, decisions and numerous other processes. The approaches to MNA will be presented next. A key feature of content analysis is 'discourse analysis' which examines the words, text and symbols that form the basis and rational for the decisions of the US officials that are to be examined. Discourse is a 'way of speaking which gives meaning to experiences from a particular perspective'[12] and can also refer to 'the kind of language used within a specific field.'[13] In the next chapter (Chapter 3) I will elaborate more discourse analysis and in particular language, when examining the world-views of the Bush elite.

Approaches: *Positional, Reputational and Decisional*

The **positional approach** uses printed, accredited information from published memoirs, autobiographies, governmental archives and work by other credited authoritative sources (including NGO's). The approach seeks to identify and establish the leadership connections amongst profit, non-profit and governmental agencies to trace the flow of money, information and other resources.[14] The information is then analyzed to identify whether there are any patterns of over representation, for any social groups or occupational settings. The study by Mills was famous for using the positional approach (mentioned in Chapter 1 and will be mentioned again shortly).[15]

[11] Ibid, pp.220-221.
[12] Jorgensen, M., & Phillips, L. (2002) Discourse Analysis as Theory and Method, London, Sage, p.157.
[13] Ibid, p.66.
[14] Domhoff, W. (2005) Power Structure Research and the Hope for Democracy. Available from: http://www2.ucsc.edu/whorulesamerica/methods/power_structure_research.html (date accessed 20th April 2016).
[15] Ibid.

A **reputational** study in contrast uses the personal opinions of a wide range of people to determine who holds power officially.[16] Floyd Hunter is renowned for using the reputational method.[17]

A **decisional** mapping of a power structure is decided on case studies of the people, organizations and pressure groups that influence or become involved in outcomes of policy initiatives in ranging areas of issues, from local planning policies to federal taxation policies to foreign policy (FP).[18]

Elite Theory

Elite theory contends that a group of individuals who are from affluent backgrounds ultimately decide on, and make key decisions in political systems, which for the purposes of my study will focus on FP. According to the studies already mentioned in the introduction of this thesis, such elites are ideologically conditioned, placed through connections (and other means of elite self-perpetuation) in corporate roles, and eventually take up governmental roles. This enables them to make decisions in power which serve their own self-interests. This is through the conception that once elites are in decision-making positions, combined like-minded individuals would potentially make their interests effectively become US national interest. It is important to note as mentioned in the previous chapter; elites have disagreements which are inevitable as humans naturally have differences in judgement and opinion. However, such intra-elite disagreements are tactical and over the smaller details regarding execution of their plans and actions and not over the more fundamental details and strategies such as US hegemony and free-market capitalism. Alternatively, if elites do not make decisions directly themselves, then they assert their will through different means to influence FP. This would be in the form of think tanks and advisory positions. Having already covered elite theory in the previous chapter, I will now review the methods used in the studies mentioned from my elite literature review.

The work of Mills[19] was where enquiry into elite theory received mainstream recognition in the US. The method of identification or study of power was conducted by Mills through the positional and reputational methods of deconstructing and understanding power networks. The method used by Mills, (also known as the 'who governs' and 'who benefits' model) has received great criticism from key scholars. Dahl critiqued Mills, for using the concept that argues 'those making

[16] Ibid.
[17] Hunter, F. (1953) *Community power structure: A study of decision makers.* Chapel Hill: University of North Carolina Press.
[18] Domhoff, W. (2005).
[19] Mills, C.W. (1956) *The Power Elite*, Oxford U P.

decisions must benefit'. Dahl argued that this may not always be the case, because decision makers could be figure heads for other decision-makers.[20] It was no surprise that Dahl critiqued Mills for not analyzing the actual decision-making process when assessing power, as this would be where the substance would exist.[21] Lukes summarized Dahl's critique, regarding what needed to be done, in terms of an adequate testing hypothesis when studying the existence of the ruling elite. The hypothesis can be tested according to Dahl, by firstly making sure the hypothetical elite is a clearly defined entity. Secondly, there must be cases where key political decisions are examined, where the preferences of the hypothetical ruling elite prevail over the preferences of any other likely group mentioned, and thirdly in these cases it must show that the elite group prevailed.[22] Acting upon this, my study will define the elite and focus on decision-making in the Iraq War, examining whether they prevailed or not (this will be elaborated on later in this methods chapter). Lukes states that the methodology of Dahl (pluralist) is intentional and active, measured by studying how power is exercised, followed by examining the frequency of who wins and who loses, this in turn determines who dominates decision-making.[23] Lukes highlights that such modes of decision making remain only in areas where conflicts of interest exist between elites, which then make these interests overt in the political arena.[24] These individuals then compete through actors who take stands, and other forms of policy lobby groups. This is due to the competition between different interest groups and actors, and because different groups prevail in different areas, it can be then said that there is no ruling elite, leaving power to be distributed in a pluralistic manner.[25] However Bachrach and Baratz[26] stated that this conception of power was too narrow and that Power had a second face, unperceived and undetectable by pluralistic methods of inquiry.[27] It was stated that power was not always reflected in concrete decisions, and that open decision-making could be limited by people to only non-controversial matters. Therefore, the agenda could be manipulated, and only certain topics could be presented for multi-party competition. In my view, controversial matters like FP is where the elites dominate (my study will elaborate). These elites have maintained their domination through keeping US FP consistent. This has occurred despite administration changes in the US, and numerous distinguished presidents. Therefore, the role of elites in FP must be examined.

[20] Dahl, R, A. (2005) *Who Governs? Democracy and Power in an American City*. New Haven, Yale University Press.
[21] Dahl, R, A. (1958), p.466.
[22] Ibid.
[23] Lukes (2005), p.5.
[24] Ibid.
[25] Ibid.
[26] Bachrach, P. and Baratz, M. S. (1970) *Power and Poverty: Theory and Practice*. New York Oxford University Press.
[27] Lukes (2005), p.6.

It is here that the arguments brought forth by Mills struggled to hold firm against pluralist critiques, especially when alternative explanations seem equally effective in explanation. Although Mills started the enquiry, it was never enough to assume that those who hold power, hold the benefits of such power. A vacuum existed that needed to be filled in terms of brining substance, this would be addressed through the examination of decision-making. However, I also believe that the positional and reputational methods used by Mills, will be used in my study. However, this will be in conjunction with other ways, in which I will illustrate later in this methodology.

The controversy surrounding elite theory is similar to that surrounding imperialism, in the sense that the existence of the notion is denied and contested by the US government and officials. As mentioned above, the affirmation of elite theory existence would prove contradictory to US democracy and therefore carries many implications. Even within this elite or establishment, there seems to be a division on the question of whether it exists or not. As mentioned previously (in Chapter 1), McGeorge Bundy denied the existence of the establishment despite being part of it himself. However, Cyrus Vance who was a key figurehead of the establishment at the time contrastingly confirmed the existence of the establishment.[28]

The use of MNA and the analysis of the content that supplements Dye[29] and Domhoff's[30] work indicate a clear existence of corporate dominance in the US, evident from the economy to the government. Domhoff's stated four ways that the corporate community dominates policy, makes a clear case that this dominance is not just prevalent in one area of policy. Instead, this dominance exists across all areas that concern the interests of this corporate community, hence where elites have strong interests, they are influential and dominant. The issue I have with MNA is that even across a multitude of areas, it can still fail to provide adequate and substantial evidence in the eyes of elite theory critics. I feel that although MNA and content analysis is crucial, elite theory needs more scholars to focus on the 'decisional' aspect of the concept (Parmar is one of few scholars who looks at elite theory with decisional analysis and will be examined shortly), as this is where the vacuum of substance exists. Domhoff and Dye bring great substance to their arguments, but my study will focus on decision-making in relation to MNA (to be explained shortly).

[28] Hodgson, G. (1973) The Establishment. *Foreign Policy, (10), 3-40,* p.3.
[29] Dye, T. (1995). *Who's running America?: The Clinton years / Thomas R. Dye.* (6th ed.). Upper Saddle River, N.J, Prentice Hall.
[30] Domhoff, W. (1979) *The powers that be: processes of ruling-class domination in America*, Vintage Books, New York. Also Domhoff, W. (1998) *Who rules America? : Power and politics in the year 2000 / G. William Domhoff.* (3rd ed.). Mountain View, Calif. London, Mayfield Pub. And Domhoff, W. (2014) *Who rules America?: the triumph of the corporate rich*, Seventh edition, McGraw-Hill Education. New York, NY.

Mills, Domhoff and Dye are all examples of sociological enquiries that highlight the existence of an elite in the US, and the impact they have on the decision-making processes. Elites dominate the economy, with the corporate community generally reaching their goals and serving their self-interest through dominance. However, these enquiries and studies do not focus much on the impact of the corporate community/ elite on FP. My thesis focuses on the role of elites in US FP, as I argue that elites use US FP as a utensil to serve their own corporate interests of free-market capitalism. I will now look at the method used by studies that discuss the influence of this elite in FP. I will firstly begin with the study by Parmar, second with the study by Barnett,[31] third with the study by Shoup and Minter[32] and finally the study from Apeldoorn and Graaf.[33]

Parmar's work is one of the few studies that uses ***decisional analysis***. Parmar examines six key decisions, regarding where the Council on Foreign Relations (CFR) think tank (which was funded heavily by the Carnegie Corporation and Rockefeller Foundation) was able to influence FP. This study illustrated how corporation goals become national interest goals. Parmar[34] firstly highlights a decision where the CFR was able to influence the President, Roosevelt on a decision where he quoted a CFR comprised memorandum to act on the Greenlands.[35] The six decisions: 'Destroyers-bases Agreement, 1940, Atlantic Charter 1941, Mutual Aid agreement 1942, Bretton Woods agreements 1944-45, UN formation 1943-45 and the US loan to Britain are all areas were the CFR influenced decision-making in FP. This study is essential for its decisional approach and for the following reasons. Firstly, Parmar brings evidence to the influence of elites in FP, through analysing decisions that show corporate interests reaching into FP. The methods used by Parmar and the results he has found, are similar to what my study will be seeking to establish. Parmar establishes how elites in the CFR are funded corporations, it is then no co-incidence that this influences six key decisions to prioritise trade and business more than any other feature. This is perfect for indicating that corporation interest of transnational capital expansion and fertile ground for capitalism, ultimately becomes FP. This study by Parmar highlights why the decisional approach is fundamental in bringing substance to the arguments presented regarding elite theory. Linking this to the work of Bachrach and Baratz where they make it clear that not all power is detectable by pluralist enquiry, this instance is a prime example. If US corporation interest is to expand and create fertile ground for transnational capital, and the best way to serve these

[31] Barnet, R.J. (1973) *Roots of war.* Penguin, Baltimore, Md.
[32] Shoup, L.H. & Minter, W. (2004) *Imperial brain trust: the Council on Foreign Relations and United States foreign policy*. Authors Choice Press, Lincoln, Nebr.
[33] Apeldoorn, B,V. & Graaff, N,D. (2016) *American grand strategy and corporate elite networks: the open door since the end of the Cold War*, Routledge, Taylor & Francis Group, London.
[34] Ibid.
[35] Ibid, p.117.

interests is through FP, then it is no wonder that elites are located in such areas of influence in decision-making. Nevertheless, this creates the further need to focus on the role of elites on FP, with a case study to highlight their role in decision-making, this is what my study will illustrate (to follow further in this chapter).

The use of ***positional and reputational*** analysis by Barnett, and his network-analysis of biographical research, gives elite studies further substance and credibility. Clearly from Barnett's work, the analysis highlights (again) the need to really delve into decision makers in politics. It is important to understand that there are numerous repercussions of how elites influence FP, this will be particularly useful when I examine US FP origins, with regards to the Iraq War (in the next Chapter (3). The issue with Barnett's study, similar to Mills, is that it does not really focus on studying decision-making as such. This again leaves the hypothesis untested, and the theory therefore not adequately proven. It is important however, to acknowledge Barnett as a key justification for why these studies are needed, and important for understanding power. It must be noted that there is a clear influence on FP from elites, and this urgently needs to be researched further and will aid answering the questions regarding whether the Iraq War and occupation was a case of US elite decision-makers went to war and occupied Iraq using democracy promotion as a cover for serving their own interests.

One study that is rather elaborate by Shoup and Minter, brings further detail regarding the elite, and one particular significant elite branch on FP being 'The Council on Foreign Relations' (CFR). As mentioned in the previous chapter, the study discusses and illustrates how the CFR had secretly and meticulously planned the policies of modern-day imperialism, and then brought them in to government.[36] The study by Shoup and Minter uses ***positional and reputational*** methods of analysis, followed by great in-depth ***content-analysis*** to substantiate its arguments. The interviews conducted and biographies analyzed provide an incredible composition, and an arsenal of reasons explaining why US FP is so consistent. However, the methods used by Shoup and Minter will still face the question marks of absolute credibility, due to the fact that actual decisions are not studied in detail. The **positional and reputational** methods provide limited concrete evidence that elites exist and are influential. The real substance is found in studies that focus on a **decisional analysis**, placing both positional and reputational claims into perspective and context. However, this is not to say that the study is methodologically flawed, it is more in line with saying it needs a little more in studying actual decisions. This will be a key feature,

[36] Shoup, L.H. & Minter, W. (2004).

provided by my study on the Iraq War.

Apeldoorn and Graaf bring further substance and evidence to the consistency of US FP. Their argument makes it clear, that only with an understanding of the social backgrounds of elite decision-makers, can we then understand US grand strategy.[37]

Their study uses *Membership Network Analysis* (MNA) to show how US grand strategy makers, and US corporate elites play a direct role as US policy makers. They maintain influence through occupying formal positions in the corporate community, and indirectly being linked to the influential think tanks, foundations, and policy groups.[38] The role that the corporate elites take, is to assist in formulating grand strategy, in the process influencing what the state considers critical interests. This results in the government sharing views that reflect the interests of the leading segments of the US capitalist class.[39] The MNA carried out in this study using biographical mapping, established that grand strategy makers were moving back and forth between government and private sectors. The study used qualitative research, in terms of analyzing speeches of grand strategy makers. This was followed by studying the backgrounds of elites, and what shaped their world views. The findings from the MNA indicated the following: over 60% of selected grand strategy makers in the Clinton administration, and over 70% of selected grand strategy makers of Bush and Obama administrations previously held corporate careers before entering politics. Finance, law, consultancy and transnational capital were the dominant sectors from which they came.[40] This study is important in explaining the content of US grand strategy, especially as US FP goals are to maintain the interests of transnational capital. The fact that MNA and content-analysis established the influence of elites in FP, gives me not only a reason to research further, but also initial ways and platforms to build on. I will therefore be using MNA in my study. The MNA is crucial in comprehending the networks that elites are part of, this will be the first step towards understanding elites through their connections. Connections such as policy planning networks, people and other institutions will explain the personalities, thought processes and views of my selected elites. This will then help me to set expectations of their decision-making on the ground in Iraq. It will be these expectations that will then be used to measure against what actually took place. This will be in establishing whether the elites served their own self-interest, or whether they kept their promises of democracy and freedom as responsible occupiers. The size of the study by Apeldoorn and Graaf, meant that it was an unrealistic to expect them to analyze individual case studies that looked into decision-making. This is where I

[37] Apeldoorn, B,V. & Graaff, N,D. (2016), p.1.
[38] Ibid.
[39] Ibid, pp21-22.
[40] Ibid, p.72.

believe that using both MNA and content analysis, alongside other methods of power structure research such as decision-making will prove a huge breakthrough for elite studies. This will bring adequate substance to illustrate the dominant influence of elites on US FP, both in the planning stages and on the ground regarding the Iraq War.

Importance of Elite theory

Elite background studies on US decision makers is imperative for my study for the following reasons. Firstly, it provides an insight that would otherwise not be available into the mindset, views and characters of the Iraq War decision makers. This insight gives me a basis to set expectations of what these elites will do on the ground in Iraq. It is only through in-depth background studies, that we can find the deep-rooted motivations of decision makers, and the role this plays in their decisions. This will then be used to measure against the empirical evidence of what actually took place in Iraq on the ground. Secondly, the existence of such an exclusive set of elite decision-makers proves problematic for US. If an exclusive group dominate FP to serve their own interests which include imbedded corporate interests and mentalities, then effectively this means that the US itself is not democratic. Instead, the political system in the US serves the interests of a few, rendering democracy potentially redundant in function. This brings great irony to the fact that the US uses the promotion of democracy and freedom to justify intervention, potentially rendering the justifications as fraudulent. Thirdly, for elite theory studies, the Iraq War can provide real insight into how the hidden, undeclared intentions of US decision makers manifested into actions on the ground in Iraq. This will potentially show the whole process of how elites, right from the early stages of their life are influenced, recruited and utilized, to then serve the interests of a selected exclusive group of individuals in US FP. Finally, elite theory explains how the legacy of the US intervention was the domination of Iraq's political system by Iraqi elites that the US had worked with before the war. These Iraqi elites were divided based on sect, ethnicity and religion, but united in dominating Iraq through sharing key ministerial positions that control budgets from its natural resources. As US elite decision-makers benefitted directly from the war and occupation, great detriment was bought to ordinary Iraqis who were left with a new authoritarianism. I will now discuss the methods that I will be using specifically in my thesis.

Biographical background studies of Elite

Biographies of all the key decision makers in the Iraq War, both in the immediate build up to the war, and during the occupation will be studied and examined. In particular those on the ground

i.e. those acting on behalf of the US in Iraq e.g. the Coalition Provisional Authority (CPA) actors will be analyzed and assessed.

In examining the elites who were involved in the Iraq war I will be looking at the following:[41]

1. An **elite study** which analyses the biographies of the elites selected (selected elites and reasons why will be elaborated on below) to identify their **backgrounds** (education, social circles, think tank memberships), **connections** (to other elites, to other US administrations and posts that elites are a part of), and **posts** that elites have held. Did the elites have similar backgrounds? This will be then used to formulate the next part: worldview of the elites.

2. **<u>World Views of the Elites</u>**

   - What are the elite's world views based on findings compiled from the elite study? What are their beliefs, visions and goals? Is this influenced by where they are from, where they have studied and the roles they have held or education they have received prior to their FP role? Have they been a part of think tanks? What ideologies have these think tanks championed? Do the elites have similar views and ideas? What type of democracy would these individuals believe in? Have they been part of democracy exportation before? What about their previous foreign involvement in other nations? Do they have imperial values? Do they have Orientalist thought? How do they use language to sell their ideas to the world? Does their language try to justify the unjustifiable going forward, for example: does it legitimize any means necessary being used to reach their goals? even if considered disproportionate? This would be done through analysis of the biographical data, written extracts, stated speeches, which will then form my conclusions of what their world views are based on the findings.

3. **<u>Expected Decisions of the Elites</u>**

   What decisions would these elites be expected to make based on the conclusions of the elite study? What does a self-serving and responsible elite look like and what do I expect to happen based on my study of these elites. What kind of decisions would they make in Iraq? What would these FP decisions be along the lines of? What would these individuals wish to bring to Iraq? Based on their intended goals, what challenges would the elites face in Iraq?

[41] Note; points 1-3 will be in the Bush Elite Chapter which is next (Chapter 3) and point 4 will be covered in chapters 4 and 5.

4. **What decisions did the elites actual make on the ground in Iraq?**

   The empirical chapters of my study (Chapters 4, 5 and 6) will examine what actually took place on the ground: self-serving elites or responsible elites? Were the expectations that I stated met? Was the 2003 Iraq occupation an example of the US destroying and remaking Iraq, whilst completely remaking the nation, starting with a capitalist and free-market sanctifying constitution? Did the US only use democracy promotion as a cover for the real goal of acclimatizing Iraq for a free-market and privatized future? Or were my expectations not met on the other hand. Did the US bring democracy and freedom to Iraq with equality for all in a fully functioning democracy? These are the kind of questions that will be addressed.

Elite biographical information will be found in the following sources both electronically available online and in published documents:

- **Biographies** of the individuals available in publishing direct from the elites or biographers, along with governmental websites such as national archives.
- **Secondary Research** – Research on the elites selected already exists in books and journals.
- **Memoirs/ statements** made by or about the individuals may be used where relevant for the purpose. This may occur for example when needing to fill gaps where biographies or secondary research does not provide adequate evidence.

Selection of Elites – Criteria

In terms of selecting US elites who will be profiled in my study, this is based several factors. Firstly, selection is based on their role in direct decision making in the buildup to the war, and during the war in Iraq (on and off the ground). Secondly, selection is based on their role in the decision making of the President of the US, directly or indirectly. This covers influencers of the President, for example advisors and intelligence providers. To identify these individuals, I initially analyzed official administration materials (statements) that were accessed online and were also compiled into a book.[42] In addition to this, published material in the form of books and articles were used. These were accredited and verified in accurately giving insight into decision makers in the Iraq War. In terms of the names, the majority held official posts within the Bush

[42] Ehrenberg, J. (2010). *The Iraq papers*. New York. Oxford, Oxford University Press.

administration and were easily verified through official archives.[43] Those who were not selected and were part of the Bush administration or cabinet, were excluded based on whether or not they played a role in the Iraq War. This was decided on research from numerous scholarly, journalistic and NGO sources, in addition to official statements that were made by the elite decision makers themselves.

The decision makers that will form my elite study are as follows:

35 Bush Elite Decision Makers

1. George Bush (43rd President of the United States from 2001 to 2009)

2. Karl Christian Rove (Senior Advisor and Deputy Chief of Staff 2001-2007)

3. Meghan L O'Sullivan (Deputy National Security Advisor on Iraq and Afghanistan 2001-2007)

4. Richard Myers (Chairman of the Joint Chiefs of Staff 2001-2005)

5. James Baker (Advisor to George Bush on Iraq War)

6. Richard Cheney (46th Vice President of the United States from 2001 to 2009, George W. Bush)

7. Lewis Libby (Assistant to the Vice President for National Security Affairs and Chief of Staff to the Vice President of the United States from 2001 -2005)

8. Richard Norman Perle (Defense Policy Board Advisory 1987-2004)

9. William Kristol (Project for New American Century (PNAC) - Co Founder, pushed War with Iraq)

10. Condoleezza Rice (National Security Advisor 2001 – 2005)

11. Colin Powell (65th Secretary of State serving under US President George Bush from 2001 to 2005)

12. Donald Rumsfeld (21st Secretary of Defense under President George W. Bush 2001 to 2006)

13. Paul Wolfowitz (Deputy Secretary of Defense under Rumsfeld 2001-2005)

14. James Haveman (Coalition Provisional Authority Senior Advisor to the **Iraqi** Ministry of Health

15. Peter Mcpherson (Senior economic advisor to Bremer in Iraq)

16. Stuart Bowen (Special Inspector General for **Iraq** Reconstruction)

17. Paul Brinkley (U.S. Deputy Undersecretary of Defense from 2005-2011)

18. Robert Gates (22nd United States Secretary of Defense from 2006 to 2011)

19. Paul Bremer III (Head of the Coalition Provisional Authority from May 11, 2003 to June 28, 2004)

20. Daniel Senor (Senior Advisor to Bremer and ORHA &Chief Spokesperson for the CPA – Face of the Bush Administration's efforts in Iraq)

[43] White House – President George W. Bush. *The White House Washington*. Available from: http://georgewbush-whitehouse.archives.gov/index.html (Date Accessed 20th April 2016).

21. Jay Garner (Director of the Office for Reconstruction and Humanitarian Assistance for Iraq (ORHA) was replaced in by Paul Bremer and the CPA)

22. Clayton McManaway (Deputy Head of the CPA under Paul Bremer III)

23. Douglas Feith (Head of Pentagons Office for Special Plans – Responsible for planning Iraq's Post-war occupation)

24. John Dimitri Negroponte (US ambassador to Iraq 2004-2005)

25. Marc Grossman (Secretary of State for Political Affairs 2001 -2005)

26. Hume Horan (senior counselor on tribal and religious issues to the CPA 2003-2004)

27. Abram Shulsky (Director of Office of Special Plans (OSP)

28. Ryan Crocker (United States Ambassador to Iraq 2007 -2009)

29. Peter Galbraith (US Advisor to Iraqi constitution making Committee)

30. Noah Feldman (US Advisor to Iraqi constitution making Committee)

31. Larry Diamond (CPA) Senior adviser on governance to the Coalition Provisional Authority in Iraq)

32. George Wolfe (CPA's De Facto Treasurer)

33. William Luti (Special Assistant to Bush and Senior Director for Defense Policy and Strategy for the National Security Council)

34. Zalmay Khalilzad (US Ambassador to the UN/Iraq under Bush – negotiated for Iraqi constitution)

35. William Burns (Special Assistant to secretary of state)

These thirty-five elites will be profiled based on the above-mentioned criteria to establish a set of expectations. The aim here, is to set expectations that I can measure against the empirical evidence in the case of the Iraq War. The expectations would be questions such as: How would these elites act in Iraq? Will these elites identify more with the intentions of genuinely promoting democracy and freedom in Iraq? Were these elites unified or did they have disagreements? Would I expect them to be a self-serving elite that seeks to use Iraq to their own interests? Prior to this, I will also study the speeches and statements made by these individuals. The themes that I find will be presented, analyzed and discussed, and in the process, these themes will influence the expectations that I set for these elites. For example, if strong discourse of democracy promotion is used, then I would set the expectations of the elites to act in a manner which genuinely promoted democracy. However, if Orientalism is prevalent in the discourse of these elites, for example 'good v evil,' then I would expect these elites to act with minimal remorse or caution in serving their interests. The themes will also enable me to establish connections between their

backgrounds and their worldview. This will potentially demonstrate how backgrounds, networks and affiliations transform into ideology, that then becomes evident in language. On the opposite end of the measurement spectrum will be what these elites said they will do in Iraq. For example, the promises elites made to bring democracy and freedom and freedom to Iraq will be presented. It should be noted that the promises made by the elites in the build-up to the war, and then during the war were broadcast as mainstream news. What my content analysis and background study will be seeking to establish is whether there is evidence that illustrates inconsistencies with who these elites are. For example, the following questions will be considered: Does my analysis of what I expect the elites to do in Iraq (based on their background study) contradict what they have promised to bring and do in Iraq?

It should be noted that, it could well be the case that the elites are consistent with the values of promoting democracy. It could well be the case that my expectations are identical to the promises made by the elites already. However, the enquiry will be made in the next chapter (Chapter 3), it is here where the expectations of how I expect the elites to behave in Iraq will be set. The following three chapters (Chapters 4, 5 and 6) will examine this in detail, to establish whether the US intended to dominate and control Iraq in both the short and long term for the benefit of US economic interests, or whether the US decision-making elite intended to bring democracy and a system which protected the rights of Iraqis as broadcast to the world.
The below table illustrates that my thesis will be measuring whether elites kept their states promises regarding the Iraq War. Alternatively, I will also be measuring decisions in the Iraq War against a set of expectations that I set in my elite study.

	Elite promises of democracy promotion and bringing freed to Iraq These are the broadcast world views and stated intentions of elites regarding the Iraq war.	**My expectations based on my elite background study.** This is based on my elite background study, network analysis, and discourse analysi
Iraq Case Study: what actually happened? **(Chapters 4, 5 and 6)**	Did the elites keep their promi and deliver democracy and freedom to Iraq?	Or did elites act in accordance with my expectations (that the were acting in the US self-interests of establishing free-

		market capitalism and privatization in Iraq, therefore keeping their pre-war promise bringing democracy and freedo Were these elites unified or di they have disagreements?

Defining concepts for the purpose of my study

Membership Network Analysis (MNA) will be initially used to categorize the collected data, in order to identify any trends or themes, that may be useful in understanding the elites through their potential interconnections. MNA assumes the importance of relationships among interacting units. The social network perspective incorporates theories, models, and applications that are expressed in terms of relational models or processes. Along with growing interest, and an increased use of network analysis, there is also a consensus regarding the central principles underlying the network perspective. In addition to the use of relational notions, the following are to be noted as being important:[44]

• Actors and their actions are viewed as interdependent rather than independent, autonomous units.

• Relational ties (linkages) between actors are channels for transfer or "flow" of resources (either material or non-material).

• Network models focusing on individuals view the network structural environment as providing opportunities for, or constraints on individual action.

• Network models conceptualize structure (social, economic, political, and so forth) as lasting patterns of relations among actors.

The unit of analysis in network analysis is not the individual, but an entity consisting of a collection of individuals, and the linkages among them. Network methods focus on dyads (two actors and their ties), triads (three actors and their ties), or larger systems (subgroups of individuals, or entire networks.

The advantage that MNA brings is that it helps identify relationships between different actors. The actors will be initially studied individually, the connections will then be used to identify shared ideologies, similar view-points, and finally the identification of thought processes. The information will then be used to conclude on the network, through setting expectations that can be then

[44] Wasserman, S. & Faust, K. (1994) *Social Network Analysis.* Cambridge, Cambridge University Press.

measured in research. In the case of my study, I will measure the decision-making of my elite group, establishing connections between who they are and how they act. The drawback of MNA is that it is not entirely and comprehensively effective on its own, it must be used as a starting point, and requires additional exploration, for example content analysis needs to follow. Otherwise, if the information from MNA is kept isolated, then it may not be of great use. The type of content analysis can vary from the decisions of actors, speeches and other statements that may back up assumptions that arise in MNA's. Otherwise MNA can be viewed as a medium for assumptions and speculation, as numerous alternative elucidations can prevail in explaining relationships between linked individuals.

MNA: think tanks, policy planning bodies and education of US Iraq Decision makers

After a thorough study of where elites have studied, in the first MNA I will be looking for the presence of think tanks and other policy planning networks that these elites belonged to. This will be vital in understanding the influences of the elite decision makers world views, especially if or when trends occur that elites from similar networks have similar views. These studies can help me then set expectations of how I would expect these elites to be in a position of decision making in Iraq on the ground. Before this I will have also analyzed the qualitative factors through the use of elite discourse, found in publications, speeches and statements. This will enable me to examine the influence of policy planning networks in the discourse used by elites. An example hypothetically would be; if elites were part of a democracy promotion think tank, is this reflected in their language through reference to democracy promotion? Another hypothetical example would be if elites were members of a think tank that was Orientalist and imperial, is this Oriental imperial ambition then reflected in the discourse of these elites?

MNA: Corporate Affiliation of US Iraq Decision makers

The second MNA will seek to identify any corporate affiliations that my selected elites may hold. According to elite theory, elite in decision making pre-dominantly seek to serve their own corporate self-interests. This normally involves influencing FP decisions that enable free-market capitalism. If corporate affiliation is dominant in the findings of my MNA then the first way this will be examined is in looking at how this influenced decisions both before and during the Iraq War. An example of how I would measure the influence of corporations in my study, will be through examining the drafting of the new Iraq constitution of 2005 (Chapter 4). Did the constitution have clauses that enabled conditions for a free market? How did such clauses enter the constitution? Did the constitution represent the interests of the US more so than that of

Iraqis? Were the clauses representative of the culture in Iraq, or more consistent with creating a climate that is pro free-markets and privatization? I will also be looking at US decisions on the ground in Iraq in the same period that the constitution was being drafted (Chapter 5). I will be examining what interests US decisions in Iraq served: did the actions of the US serve the immediate and future needs of Iraqis, or did they serve the interests of corporations? An example of the evidence that I will be looking for is for example if Vice President Richard Cheney was once the head of Halliburton (and other individual elites were also linked to this company), then I will be looking for the presence of Halliburton in Iraq in terms of contracts awarded to them and other subsidiaries as a result of Cheney and his affiliations. If I find that contracts were awarded without bids, and with preference to US corporations that are linked with my decision-making elites then the case for self-serving elites will prevail. I will also be looking for conflicts of interests.

US Elite decision makers language and world-views

I will be examining statements, speeches and interviews of the US elite to identify any trends that may exist, and whether these trends could give an insight to the perspectives of the elites. Firstly, I will identify whether the backgrounds of the elites have grown into ideologies, beliefs and opinions that are evident through their language.

What did they say they would do in Iraq? Does what they say accurately reflect who they are according to their backgrounds, or does it contradict their values and true intentions? For example, does the background of the individual elite(s) seem corporate centric and supportive of US dominance, and does this appear in their language? Alternatively, do the elites come across as pro-democracy promotion instead, or both?

Language is important, as the existence of Orientalism for example, could influence decision making in ways that have serious and detrimental effects on Iraqis. If the US uses the 'good v evil' discourse, this can potentially mean that no decision or action is unacceptable. This would indirectly justify the use of disproportionate force, or other actions that have deadly repercussions to decision-making elites on the ground. Orientalism in the worldviews of the elites will be examined in the decision-making on the ground.

Additionally, in terms of democracy promotion, one must look at what idea of democracy these elites had (again through profiling and then establishing whether this was a specific type of democracy e.g. free-market/ low intensity democracy). This would then enable me to set the expectations for how I anticipate them to act in Iraq, examining whether the elites kept their

promises or not. If the US stated they intended to make Iraq a fully functioning democracy with a system that protect and upheld the rights of all, did this come to fruition?

Simplifying the approach - perspective

As we are trying to establish answers to whether the 2003 Iraq occupation was an example of US elite decision-makers going to war and occupying Iraq using democracy promotion as a cover for serving their own interests, its useful to simplify and summarize the process. In the next chapter that examines the Bush elite backgrounds (Chapter 3), I will conclude with expectations. The expectations will be set in the following ways. I will initially conclude the chapter with an outline of what self-serving elites and responsible elites look like. I will then finish by stating exactly what I expect these elites to do when on the ground in Iraq. The following three chapters that follow (Chapter 4 – constitution making, Chapter 5 – elite decisions, Chapter 6 – democracy left in Iraq), will examine whether my expectations were met or not.

In very basic terms the structure is this:

Who were the elites? What were their educational backgrounds, corporate associations, governmental associations and which think tanks and policy making groups were they associated with?
How did their backgrounds and social networks esp think tanks influence their worldview? : To analyze this, the language of grand strategy makers will be examined to establish what extent these elites were influenced by their backgrounds, connections and education.
Based on the above what would I expect of these elites in Iraq? – Having studied who the elites are, and how they see the world through their language – what do I expect them to do in Iraq? Self-serving or responsible US elite decision-makers? **What did they (themselves) say they would do in Iraq?** – What were the official broadcast promises made to Iraqis and Iraq? Did this accurately reflect who they were or was contradictory to their values?
What actually happened in Iraq? How did the elites act in Iraq? Were these elites unified or did they have disagreements? Was the Iraq War a case of genuine democracy promotion where US left Iraq with a functioning democracy that protected the rights of all Iraqis? Or was the Iraq War a case of self-serving elites, meaning the US went to serve their own corporate self-interests as the main priority, through setting up a free-market democracy in a privatized Iraq? Or was the case a mixture of both? Did the US use democracy and rights as a veil, given the noble nature of democracy promotion and spreading freedom?

Case Study Approach

I have selected the case study approach, as I believe it brings a detailed breakdown of a complex issue through a real-life example. Case studies prioritize meticulous contextual examinations of a

limited number of events or conditions, and the relationships in which they have with each other. Robert K. Yin defines the case study research method as 'an empirical inquiry that investigates a contemporary phenomenon within its real-life context; when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used.'[45]

Critics of this method advocate that the study of a small number of cases can offer little credible grounds for establishing reliability, or generalizations in the findings. Others believe that focusing on the case can bring bias to the findings.[46] Some determine case study research as useful only as an exploration medium. Others continue to use the case study research method with prosperity, in carefully planned and crafted studies of real-life situations, issues, and problems. In terms of my study I believe the case study will give the needed focus, and analytical eye to piece up the events against the theory when understanding the complexity of the concepts. It must be noted that if one cannot use the theory to understand real life events, then surely the theory is to an extent redundant. It is reasonable to query what the use of a theory is if it only remains hypothetical.

Another firm criticism is that case studies are perceived to lack the basis for scientific generalization, due to the focus on a specific unique case.[47] Case studies have also been referred to as being overly lengthy, with excessive documentation, and difficulties in the practicalities of conducting them. The issues seem to arise when the overload of information is not managed and organized effectively.[48]

In terms of the criticism regarding not producing generalized conclusions, and the fact that the hypothesis is tested only in a single case – I do not perceive this as a drawback. Maybe the case study approach for my thesis will establish a new and unique method, which is to be followed across a large number of cases to establish further substance for the hypothesis. Alongside this, it must be said that generic theories that are tested broadly may not provide the same detail that a meticulous case study can magnify, and then present. I believe when examining FP, the case study approach is the best possible method, as it gives a comprehensive picture and examination of the subject of analysis.

[45] Yin, R. K. (1984) *Case study research: Design and methods.* Newbury Park, CA, Sage.
[46] Ibid, p.21.
[47] Ibid.
[48] Ibid.

It must be noted at this stage that the case study approach in my thesis is rather distinguished to orthodox case studies, in the sense that there is a number of sub-cases under the actual case study subject of Iraq. The cases are the CPA and its conduct, Iraq's money and democracy in Iraq (further explored below). This makes the case more than just a singular case and actually gives more diversity across three separate but related cases for examination. Therefore, as a case study it will prove more substantiated than a narrow study, which is more resembling of what critics argue against. I will now present the case studies in my thesis.

Case Study One: CPA:

The case study of the Coalition Provisional Authority (CPA) is one, which has sub-case studies due to substantial numbers of actions occurring in the CPA's reign. After the fall of the Iraqi Ba'ath government in 2003, the CPA was introduced to effectively run and govern the nation, until the Iraqi Interim Government was installed on 28th June 2004.[49] The CPA had full authority to enact laws, print currency, collect tax, and deploy law enforcement authority (through police and military), along with being able to spend Iraq's money.[50] The period during which the CPA was in power was critical, as this is ultimately when the future of Iraq was determined. This period, which lasted a year effectively enabled and sanctioned what would be Iraq's future. This period occurred with minimal accountability, something that my study will bring more exposure to.

CPA Case Study Focus 1.0: Elite Decisions in Iraq CPA Case Study - The Drafting of The Constitution and its Finalization:

– Who did the constitution represent? Was it formed through representative means? Did the US under the watchful eye of Iraqis and the world act democratically? Who influenced the clauses that later became the constitution?

The US, before the intervention in Iraq used democracy promotion as a justification for entering. The US then created and promoted a need to draft a constitution that would establish democracy in Iraq. Jawaad highlights that international agreements (including Geneva Conventions and Hague) do not empower foreign occupying powers the right to impose a constitution on an occupied nation.[51] In addition to this the agents also co-operating with the occupier likewise do not hold the right to do so either.[52] However despite this, the CPA cancelled the Iraqi constitution

[49] Herring, E. & Rangwala, G. (2005) "Iraq, Imperialism and Global Governance", *Third World Quarterly*, 24(4-5), pp. 667-683.
[50] Chandrasekaran, R. (2006*) Imperial life in the emerald city: inside Baghdad's green zone*. London, Bloomsbury.
[51] Jawad, S. (2013) The Iraq Constitution: Structural Flaws and Political Implications *LSE Middle East Paper Series*, p.6.
[52] Jawad references Article 43 of the 1907 Hague Conventions: *"Art. 43. The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country."* and also Arato, A. (2009) *Constitution Making Under Occupation*. Columbia University Press, p.54.

and a new provisional document was produced. The clauses in the constitution were directly influenced by the US with Paul Bremer bringing over a hundred clauses directly from Washington into the Iraq constitution (discussed further below). These clauses specifically aimed to create a free-market Iraq, enabling privatization. The fact that the US drafted temporary laws initially (discussed below), and then influenced the permanency of these laws, needs to be examined further. If these clauses are detrimental to Iraqi people and servile to the flow of US transnational capital and therefore US corporations, then this constitutes US elites using the occupation for their own narrow interests. One of the ways this can be substantiated is the way in which the constitution was drafted, and the speed with which it was ratified and enforced as discussed below.

There existed two sets of laws that governed Iraq from the beginning of the occupation until the constitution was drafted. One set of laws was the Transitional Administrative Law (TAL) issued by the CPA. This included over 100 regulations that were regarded as laws, brought in by Bremer, and these regulations are still present in the Iraqi constitution today.[53] These included preventing Iraqi courts from considering claims against US soldiers or security contractors, appointing a national security advisor, appointing a US advisor for every ministry and also rules for media regulation.[54] In addition, Bremer formed the Governing Council (GC), which included 25 people selected on the basis of sect, ethnicity and most importantly; their loyalty to the US. Historically this had never occurred before, where individuals would be selected based on sect and ethnicity.[55] If one was to remove the Kurdish parties, only 5 out of 25 GC members were living in Iraq before 2003 and 65% of the GC also held other nationalities.[56] In the selection process merit and qualification clearly were not of importance. The TAL was also written by US nationals assisted by two expatriate Iraqis holding US and British nationalities who had not lived in Iraq since they were children, with no experts in constitutional law being present.[57]

In terms of the permanent constitution, the Iraqi government claimed sole responsibility for producing it, as the GC appointed a committee of 55 people to compose the first draft, but were also advised by US officials Peter Galbraith and Noah Feldman.[58] Members of the committee were divided as follows: 28 Shiites, 15 Kurdish, 8 Ayad Allawi Al-Iraqiya List which has: Shiites, one Christian, one Turkman, one Communist and a Sunni.[59] Only after objections from the Sunni

[53] Bremer, P. & McConnell, M. (2006) *My Year in Iraq: The Struggle to Build a Future of Hope*, Simon & Schuster.
[54] Jawad, S. (2013), p.8
[55] Ibid.
[56] Ibid.
[57] Galbraith, P. (2006) *The End of Iraq: How American Incompetence Created a War Without End*. Simon & Schuster, p.139.
[58] Jawad, S. (2013), p.10.
[59] Ibid.

community, the GC added 14 Sunnis. Committees were, despite the notions of democracy held in secret, ignoring public opinion.[60] From here controversial happenings occurred, two Sunni members of the drafting committee and one undisclosed advisor who were known for their objections to the draft were assassinated (these were Dr Mijbil Issa, Aziz Ibrahim and Dhamin al-Obaidi) along with another committee member and critic Dr Hasib Al Obaidi a few days later.[61]

The forming of the IGC and their part in the constitution of Iraq requires further examination. In terms of the intentions of the US, they had pre-selected a diverse group of six Iraqi elites, with prior planning for these Iraqi elites to re-write Iraq's constitution and be given the power to govern Iraq. These six elites were then selected into the IGC undemocratically. However, once the Iraqi populace became aware of privatisation agenda of the US and their undemocratic decision-making in selecting Iraqi elites as opposed to free elections, a resistance formed which coerced US elites rethink their decision-making. As soon as the US selected the Iraqi elites for Iraq's interim government (Iraqi Governing Council), attacks on the US began. A re-think in US elite decision-making took place regarding the way the constitution was to be written, but this did not prevent the original US-backed Iraqi elites from having the final say on Iraq's constitution or from dominating Iraq's political system for the next fourteen years. Therefore, Iraq's constitution did not represent the will of Iraq's majority population but instead an elite minority who were previously backed by the US. I believe that what followed from these foundations was a result of the CPA and IGC actions, as the unrepresentative nature of the constitution and system in Iraq then caused immediate civil unrest, which then eventually turned into the 'Islamic State of Iraq and al-Sham' (ISIS) a decade later.

The complete drafting process of the constitution and the specific clauses that were inserted must be examined. The aim will be to identify whether this constitution honours the promise of democracy and freedom by the US. Alternatively, is the constitution making process, and the decisions before it regarding the IGC more in line with serving US elite interests? These interests would be secured through empowering a puppet government that is selected, as opposed to democratically elected, and is subservient to US plans of creating a free-market that enables privatisation. The findings of this constitution chapter (Chapter 4) will be the first of three case examinations that establish whether US elite decision-makers went to war and occupied Iraq using democracy promotion as a cover for serving their own interests. The chapter measuring

[60] Morrow, J. (2005) Iraq's Constitutional Process ll: An Opportunity Lost. *USIP*, *No. 155*, p.3-8.
[61] Jawad, S. (2013), p.11.

democracy (Chapter 6) will revisit the pathways of the original 6 pre-war US-backed Iraqi elites, to establish the extent to which a dominant minority Iraqi elite came as a result of the US occupation.

Case Study Focus 2.0: Elite Decisions in Iraq CPA Case Study - Decisions to transform Iraq's economy, contracts awarded and missing money

In linking the US elites to the Iraq war, one of the biggest examples of US elite gain is the business enabled through the occupation, in particular as a result of US authority in Iraq. The CPA awarded copious amounts of contracts without bidding or competition, to US companies in Iraq. This would arguably never have happened if the CPA were not occupying Iraq. Any reasonable authority who seeks the best contractors to work, would initially make them qualify themselves in bidding and competing for contracts. The contracts awarded were both short and long term. One of these companies to be examined is *Halliburton* of which Vice President Richard Cheney was once the CEO. Copious contracts and huge amounts of money were awarded to Halliburton and its subsidiaries. *The kind of evidence that will establish and maintain the prevalence of elites making self-serving decisions and therefore benefiting from the Iraq war will be as follows: empirical evidence that proves the companies who were awarded contracts were associated with the elite decision makers*. This would be through past association through positions or shares, and present association through shares or other financial links. Any conflicts of interest that are found would establish that elites used the Iraq War to advance their own economic interests.

Although this is already written about partially, I will be re-examining the case of Iraq's missing money for the period that the CPA was in power. It is important that each chapter will have its own individual conclusion, followed by the overall balanced evaluation at the end of the thesis (Chapter 7). Therefore, although other studies have highlighted Iraq's missing money, they have not used it as part of a greater piece of research, nor in my opinion has it been examined with a purposeful and adequately inquisitive lens. My study will make the focus of Iraq's missing money substantial in the analysis of what the US did in Iraq, giving further substance to my other sub-cases (mentioned above and below).

Accessibility :

In terms of accessing the conduct of the CPA in terms of economic transactions they are available through the International Advisory and Monitoring Board (IAMB) where all KPMG and other audits conducted by accountancy firms are present. This is available online see reference http://www.iamb.info/dfiaudit.htm)

The International Advisory and Monitoring Board

The principal role of the IAMB is to help ensure that:

- The Development Fund for Iraq (DFI) is used in a transparent manner for the benefit of the people of Iraq, and
- Export sales of petroleum, petroleum products, and natural gas from Iraq are made consistent with prevailing international market best practices."[62]

The IAMB is an Iraq based auditing unit fully sanctioned and accredited by the United Nations with a specific role and purpose in protecting transparency on dealings of the international market with Iraq promoting accountability and evidence for and to the Iraqi people and all those who may pose enquiries on Iraqi transactions. In terms of my study it will help to bring evidence through transcripts of transactions with foreign firms and Iraq to then establish whether fraudulent activity took place by the CPA or not (case study 2.0 elaborated on below). In addition to this it will bring evidence of whether corporations linked to the elites ended up with prime contracts in Iraq, identifying potential serving of self-interest.

CPA Case Study Focus 2.1: Short term gain - Iraq's Money

The first focus of the CPA's actions will be how Iraq's money was spent during the CPA's term, where money was meant to be invested with meticulous caution, given that Iraq was financially on its knees. I believe that an economic repercussion of imperialism in Iraq was the copious amounts of money that went un-accounted for, as highlighted by the accountancy firm KPMG in its reports. The evidence that demonstrates a misuse of Iraqi money, and potential stealing, will establish that the US ultimately pillaged from Iraq. Therefore, in the process the US was serving short-term gains of material benefit. Linking this to our elites, one can say that it was under the authority of such elites that this corruption took place. The way elites act when in a responsible position of authority is crucial to understand. In asserting power in Iraq, elites illegitimately covered up the losses using fake corporation names and fabricated receipts. These corporations were established to be linked with the elites such as, private security firms under *Halliburton*. Such evidence found in the archives proves that elites in Iraq were contradicting the promises they made, and also breaking international law, as a responsible occupier with duties.

[62] IAMB (2003) - International Advisory and Monitory Board for Iraq. *IAMB* Available from: http://www.iamb.info (Date accessed 12th March 2016).

Through this chapter, I will also be examining how the US attempted to change the economy of Iraq from a social system to a privatized capitalist system. This was done simultaneously, as the constitution was being written. I will examine whether the elites were unified or whether they had disagreements in their decision-making processes. This particular case study will put into perspective how the constitution making in the previous chapter was a distraction, and that democracy and legitimate constitution making was not the goal. Instead based on this chapter, I will establish how a meticulous effort was made to privatize Iraq and make it fertile ground for transnational corporations, something which the chapter will show to have failed. However, the chapter will show that numerous other significant gains were made financially for the US.

Accessibility of sources regarding Iraq's missing money :

Discussed above through the IAMB (Reports on the names of the firms contracted with are present in reports from 2003 to 2010 by the International Advisory and Monitoring Board for Iraq (IAMB) where all KPMG and other audits conducted by accountancy firms are present. This is available online see reference http://www.iamb.info/dfiaudit.htm)

Case Study 3.0: Democracy In Iraq

I intend to examine the political system of Iraq to identify whether the promise in which Iraq was invaded was met: the promise of freedom and democracy. An example of the kind of declarations by the US of how a new regime in Iraq would look can be found in a quote from a George Bush Speech;

"All Iraqis must have a voice in the new government, and all citizens must have their rights protected."[63]

Statements and speeches by the US, particularly those by the President and other US individuals who were influential will be examined. From these statements, an image of the Iraq that they envisaged and described will be drawn up. This will enable me to create a yardstick upon which measurements of Iraq's democracy in practice can be made. An example of the empirical evidence that will be examined are Articles in the Iraqi Constitution, for example:

"Article 38:

[63] Bush G,W. (2003) Speech to the American Enterprise Institute. *The Guardian.* Available from: http://www.theguardian.com/world/2003/feb/27/usa.iraq2 (Date accessed 12th March 2016).

The State shall guarantee in a way that does not violate public order and morality:

A. Freedom of expression using all means.

B. Freedom of press, printing, advertisement, media and publication.

C. Freedom of assembly and peaceful demonstration, and this shall be regulated by law."

An article like this will then be placed against the case of Iraq, to establish whether such rights are protected or if violations exist, and why. In addition to this, the consistency or frequency of violations will be analyzed to see if there is a genuine disregard for Iraqi rights. Consistency in violations, especially over a time period of more than 10 years may show that the system in Iraq is consistent in its failings, without solutions. Violations of this nature are substantial to testify that the Iraq system is failing in delivering the promise made by the US for Iraq's democracy. Such articles will be placed against the Iraqi system after the new constitution was established. The kind of evidence that would prove Iraq to be a failed democracy, is the example of the Iraqi forces preventing the right to peacefully demonstrate. Such examples not only show that the Iraqi state has failed as a democracy, but that the promise to deliver these rights to the Iraqi people has not been met. The types of sources that would back up these claims are the reports carried out by governments and Non-Government Organizations (NGO's). An example, is the 2012 UK Foreign and Commonwealth Report, which confirms violations of press freedom and peaceful demonstrations, combined with violence by the state and the Iraqi people due to lack of security and enforcement of these values.[64] I will also examine the statements and interviews given by ministers and officials, regarding the political climate of Iraq, where evidence can be gathered of protests that were violently repressed by the government, resulting in numerous deaths. Although the constitution mentions that such rights will be protected, this needs to be studied further.

Further to this, the most basic aspect of a democracy is a citizen's rights to vote as stated in the Iraqi Constitution's Article 20:

"Iraqi citizens, men and women, shall have the right to participate in public affairs and to enjoy political rights including the right to vote, elect, and run for office." [65]

[64] Foreign & Commonwealth Office (2012) The 2012 Foreign & Commonwealth Office Report - Iraqi affairs department. Available from: http://www.hhro.org/hhro/reports_en.php?lang=en&art_id=734 (Date accessed 12th March 2016).
[65] Iraq Constitution 2005 - Available from: http://www.iraqinationality.gov.iq/attach/iraqi_constitution.pdf (Date Accessed 12th March 2016).

Basic rights to vote have been denied, this was evidenced in the 2014 elections, where the government could not counter insurgents, and therefore declared the two cities of Falluja and Ramadi[66] as no go areas for election officials. These are but a few of the examples of the rights that were promised by the US, being denied to the Iraqi people. This brings evidence to the US failure in Iraq, regarding bringing democracy and freedom, in a system that protects the rights of all Iraqis. Although the right to vote was granted by the constitution, similar to the misrepresentation and under representation that existed in the constitution, such rights were also not protected in practice. Sunni areas were co-incidentally unprotected, or practically denied the right to vote, due to lack of security. However, Kurdish and Shiite areas did not have this issue. The issue here is that sources that cover the reality are mainly news and media sources, with little scholarly coverage. This means that I will have to do primary research to bring substance to the sources. Questionably, there are few reports from major organizations such as Amnesty or Human Rights Watch regarding the elections in Iraq.

Article 14:

Iraqis are equal before the law without discrimination based on gender, race, ethnicity, nationality, origin, colour, religion, sect, belief or opinion, or economic or social status.

Article 15:

Every individual has the right to enjoy life, security and liberty. Deprivation or restriction of these rights is prohibited except in accordance with the law and based on a decision issued by a competent judicial authority.

Violations of article 14 and 15 are clear examples of a failed system in protecting rights of all citizens. As per the report conducted by an independent NGO: Hammurabi Human Rights organisation, minorities are not being protected with numerous cases of discrimination, kidnapping and killing taking place.[67] This is one of the NGO studies that confirms the violations and therefore the dysfunctionality of the Iraqi political system. Again, this is far from what was promised to Iraqis initially by the US. Further articles will also be assessed and measured against the empirical evidence that is provided through NGO's, statements of key decision-makers in Iraq, and politicians in Iraq, to measure the efficacy of Iraq's political system.

[66] Freeman, C. (2014) Insurgents expected to prevent two cities in Iraq taking part in elections. *The Telegraph*. Available from: www.telegraph.co.uk/news/worldnews/middleeast/iraq/10785773/Insurgents-expected-to-prevent-two-cities-in-Iraq-taking-part-in-elections.html (Date accessed 12th March 2016).

[67] Hammurabi Human Rights Organization. (2011) Situation of minorities in Iraq. *HHRO* Available from: http://www.hhro.org/hhro/reports_en.php?lang=en&art_id=556 (Date accessed 12th March 2016).

Measuring Democracy in Iraq

In determining whether the US implemented democracy in Iraq, I will be looking at research conducted by NGO's in Iraq, that focused on measuring democracy. One of the organisations is the National Democracy Institute (NDI), which is a non-profit organisation that supports democratic institutions and practises in every region of the world. It aims to establish and strengthen political and civic organisation through openness and accountability in government.[68] The NDI is supported by over 160 organisations, including the National Endowment for Democracy, the US agency for International Development, US Department of State and other international development agencies and Private Donations.[69] What makes NDI reliable is the diversity of support it reaches from nation state governments, corporations and individuals who believe in the goals supporting democracy by auditing democratic processes around the world. Although there is always the risk that the NDI could have outside influence in its findings and reports, the publications remain factually insightful. It has numerous publications on Iraq covering the whole country in surveys regarding public mood, opinions and views of the people on the country and its democracy. In addition to this, Hammurabi Human Rights Organization (HHRO) is a registered Iraqi NGO that researches and assists in the promotion of Human Rights in Iraq, and also assists those who have suffered in human rights violations.[70] Organisations such as those mentioned will be useful in measuring from a populace point of view, to establish whether democracy is believed to exist or not in Iraq.

Elite theory and Iraq's democracy

As previously mentioned, a re-think in US decision-making took place regarding the way the constitution was to be written, but this did not prevent the original US-backed Iraqi elites from having the final say on Iraq's constitution. A key legacy of the US intervention was the domination of Iraq's political system by Iraqi elites that the US had worked with before the war. These Iraqi elites are divided based on sect, ethnicity and religion, but united in dominating Iraq through sharing key ministerial positions that control budgets from its natural resources. As US elite

[68] The National Democratic Institute (2016) *NDI* Available from: https://www.ndi.org/publications?filter1=All&tid_2=210&tid_1=All&keys= (Date accessed 12th March 2016).
[69] National Democratic Institute (2016) (About) *NDI* Available from: https://www.ndi.org/frequently_asked_questions (Date accessed 12th March 2016).
[70] Hammurabi Human Rights Organization. (2016) *HHRO* Available from: http://www.hhro.org/hhro/about.php?lang=en (Date accessed 12th March 2016).

decision-makers benefitted directly from the war and occupation, great detriment was bought to Iraqis who were left with a new authoritarianism.

The kind of evidence that will support the existence of a minority elite dominating Iraq will include the domination of Iraq's key ministerial positions that control budgets from Iraq's natural resources. Due to a lack of transparency, a lack of infrastructure and an oil-based economy, connections between Iraqi elites and the private sector corporations are limited. The private sector faces restrictive regulations, lacks adequate access to finance and skilled labour. Alongside this, most non-oil based private corporations have been dominated by state-owned enterprises.[71] The Iraqi elites have internal disagreements with each other regarding individual sectarian, ethnic or group rights, but are unified on sharing the domination of Iraq's population through individual group rights. This is achieved through unity in government formation through patronage politics between Iraq's elites. Therefore, a thorough examination of Iraq's key ministerial positions since 2005 will indicate if and whether there is domination by a minority Iraqi elite.

The analysis of how democratic Iraq's political system is alongside the examination of who dominates Iraq's key decision-making positions will be crucial in determining exactly how Iraqi elites run Iraq how democratic they are.

A note on the conclusion

Chapters 4, 5 and 6 will ultimately provide the empirical evidence, through the examination of constitution making in Iraq (Chapter 4), decisions of the US elites in Iraq (Chapter 5), and the democracy that was left in Iraq (Chapter 6). Chapter 7 will be the conclusion, which will weigh up the conclusions in each of my empirical chapters, to determine whether the 2003 Iraq War and occupation was a case of US elite decision-makers went to war and occupied Iraq using democracy promotion as a cover for serving their own interests. What next? Next (Chapter 3), I will move on to the elite background study of the Bush elite, which will conclude with my expectations on how I expect them to act in Iraq, regarding the decisions they take, and how I expect them to behave.

[71] Idris, I (2018) Inclusive and sustained growth in Iraq. K4D Helpdesk Report 355. Brighton, *UK, Institute of Development Studies*. Available from: https://assets.publishing.service.gov.uk/media/5b6d747440f0b640b095e76f/Inclusive_and_sustained_growth_in_Iraq.pdf (Date Accessed 15th January 2019).

Chapter 3: Elite background Study of the Bush Cabinet and their world-views

This chapter will examine the key US elite decision makers from the George W. Bush administration based on their decision-making roles in the Iraq War. The aim of this chapter is to understand who the elite decision makers were through an examination of their educational backgrounds, corporate associations, governmental associations, and finally, which think tanks and policy-planning groups they were involved with. For this chapter, thirty-five individuals were studied and analyzed, based on a filtration process that determined qualification through set requirements that had to be met. There are two requirements that had to be met together, in order to have been selected for analysis. The first requirement is that the decision makers had to either, hold an official position of authority in the US government, or a position of influencing the decisions of the president. For the latter, an example would be influence through an informal advisory role, or through a policy planning body. The second requirement is that decision-makers had to have a direct role in the Iraq War. This can be through supporting the decision to go to war or making or influencing decisions on the ground in Iraq during the war and occupation. Decision makers who did not influence the decision-making process before, during or after the war were not assessed or analyzed. To determine who influenced the decisions in the Iraq War, war documents, press releases, memoirs, publications and numerous other validated sources were researched and consolidated.

Aims of this chapter and Theoretical implications

As stated in the introduction, elite theory states that a small minority from an economic elite, dominate domestic and foreign policy in the US. The way these elites exercise their power is independent of the democratic process in the US. The major implication for the US here is that if an exclusive group of undemocratic elites exist, then this renders the US elitist and undemocratic. The irony is that the US used democracy promotion as one of the main justifications for the Iraq war. The question here is if the US is not democratic itself, then how can it be justifying wars in the name of democracy?

The aim of this chapter is to examine who the Bush elite were, in the process addressing the following questions. What made these elites who they were? Where were they from and where were they educated? Were they religious? What were their world views? In addressing all of the questions, do commonalities between the selected 35 individual decision makers exist? Most importantly what do these pathways say about the US? Is the US democratic and free in how society selects decision-makers, or is the US fixed in its processes where only a select few, in an

exclusive elite, rule? Finally, who's interests do these individual decision makers serve? Do they serve interest of the US populace, or the interests of the wealthy and upper class? Is US foreign policy dominated by corporations? If yes, then how do these corporations create and maintain this dominance?

The total number of decision makers from the Bush administration that are examined is thirty-five. The structure for this chapter is as follows. I will look at the elite decision makers of the Iraq war, highlighting a close up of the biographies of six selected decision makers, followed by an early analysis of all six at the end of the section. Then I will be proceeding to the membership network analysis of all thirty-five decision makers. In the process, I will be establishing commonalities. Once I have reviewed the membership networks, I will proceed to look at the world-views of these elites, in the process categorizing their views and ideas. Finally, I will set my expectations of what I believe these elites will do in a position of authority, when influencing decisions or acting on the ground Iraq.

Although all thirty-five will be analyzed in terms of membership networks, and consistent trends that indicate the elite backgrounds, I will only present a closer look of the following: **George W. Bush** (43rd President of the United States), **Karl Christian Rove** (Senior Advisor and Deputy Chief of Staff 2001-2007) **Condoleezza Rice** (U.S. National Security Advisor 2001), **Richard Bruce Cheney** (46th Vice President of the United States from 2001-2009), **Paul Dundes Wolfowitz** (Deputy Secretary of Defense under Donald Rumsfeld (2001-2005), **Lewis Paul Bremer III** (Head of the Coalition Provision Authority from May 11th 2003 – June 28th 2004) as I believe these were individuals with arguably the most influential positions or roles. For the highlighted six, I will present a bio to provide an understanding of who they were as individuals, and as part of the Bush administration unit. I will also provide an early analysis of the highlighted six, at the end of the section.

George W. Bush

The 43rd President of the United states was born on July 6, 1946 in New Haven, Connecticut with a dated family history that goes back as far as the 1600's.[1] His mother, Barbara Pierce (pre-marriage) was a distant cousin of the 14th President of the United States; President Franklin Pierce, whilst his father, George Herbert Walker Bush, had roots tied by researchers to fifteen US presidents and the British Royal family.[2] Bush's grandparents were in the same circles as the Rockefellers, Tafts, Luces,

[1] Baker, P. (2013) *Days of Fire: Bush and Cheney in the White House.* New York: Random House, p.18.
[2] Ibid.

Grahams, Harrimans, Lodges, Fulbrights and Kennedys.[3] Bush's Grandfather; Prescott Bush, was a Republican Senator who ventured independently of his father's inheritance and made great returns from investments in CBS, Prudential and Pan Am.[4] Bush's father (George. H, W. Bush) was in the oil industry with numerous companies that drilled and developed oil off and onshore.

Bush's education included attending Phillips Academy, Andover for prep school. It was at Phillips Academy where Bush discovered that he was a 'natural organizer.'[5] Prep schools of Phillips Academy status are almost more important and prestigious to attend than the Ivy league institutions according to Dye.[6] Within the Eastern Establishment, the phrase 'old school tie' is used when referring to prep schools, as opposed to Universities or Colleges.[7] It must be noted that such private institutions are the most expensive of private schools to attend, and having the opportunity to attend is a once in a lifetime opportunity. Not only do such institutions educate, they also acculturate individuals to a certain style of life, notably the upper-class way. Private school or prep school attendance is a big indicator of the upper class and a firm wealthy background indicator as such institutions are extremely expensive. There is a trend that the majority of Phillips Academy students attend Yale upon graduation, which was affirmed in the case of Bush (as well as Bremer below). Having access to the privilege of such institutions naturally creates opportunities that may not otherwise exist for individuals of non-private school background. It must be noted that the upper class, in sending their children to such schools also creates a network of association between the next generations children, this ultimately forms networks of elites for the future. The reason for this is that the record of such institutions for producing successful individuals, and placing them in the most prestigious of professions and positions in the future, means that generations of leaders are connected from the outset.

In terms of education, Bush graduated with a B.A. in history from Yale, where he was part of the Delta Kappa fraternity and esoteric Skull and Bones Society.[8] The Skull and Bones society was where bonds were made between the men who would operate the old-line banks and white shoe law firms, the men who eventually became the Wise Men of Washington.[9] These included the Bundys, Buckleys, Harrimans and Tafts, also referred to as the Eastern Establishment.[10] Bush Senior and

[3] Ibid, pp.18-19.
[4] Ibid, p.20.
[5] Bush, G, W. (2010) *Decision points,* Crown Publishers, New York. pp.11-13.
[6] Dye, Thomas R. (2002) *Who's Running America? The Bush Restoration.* 7th ed. Upper Saddle River, N.J.: Prentice Hall, pp.148-149.
[7] Ibid.
[8] Ibid, pp.23-4.
[9] Unger, C. (2005) *House of Bush House of Saud: The secret relationship between the world's two most powerful dynasties*. Gibson Square Books, London, p.37.
[10] Ibid.

Bush's Grandfather; Prescott Bush were also a part of this society.[11] Bush later attained an MBA from Harvard in 1975. Bush ventured in and out of the oil business with little success but saw his biggest corporate success when he bought shares in the Texas Rangers Baseball team in 1989.[12] This venture ultimately helped launch his political career, as it gave Bush an opportunity to prove he can manage and run such an organization. Bush did this successfully, when he doubled attendance over the next ten seasons, with increased revenue, and therefore, a tangible reference for his work and abilities.[13] Bush had a bout as Governor of Texas from 1995-2000 before successfully becoming the 43rd president of the United States.[14]

In terms of Bush, his background of Texas has great significance in terms of who he became and what direction he was heading in life. Bush said in a campaign speech, aimed at those who wish to understand him; *"I would say people, if they want to understand me, need to understand Midland and the attitude of Midland*."[15] So therefore to understand George W. Bush one must understand Midland, Texas.

In terms of Texas, in the period of 1964-2000 it was home to three elected presidents in Lyndon Johnson, George H. W. Bush and George W. Bush along with an independent candidate named Henry Ross Perot, meaning Texas had a reputation for producing presidents.[16] Texas was a place where the people were split into two sides, these were the "Texan modernists" and the "Texan traditionalists."[17] Texan modernists held the view that US society should be meritocratic with a high tech economy alongside the patriotic love towards the state of Texas, the military and rural folk heritage of Texas.[18] Texan traditionalists believed in a low-wage, low-tax and commodity exporting economy regardless of whether society created inequalities of wealth and opportunity, this was symbolized by oil companies, ranches and farms.[19] The Bush's from the 1960's onwards have been traditionalist, which plays a big part in the thinking of George W. Bush.

When Bush was 23 years of age, D.W. Meinig described Texas as being "native white Anglo Saxon Protestant… Pure blooded homogenous population from the great Anglo-Saxon centers of the South."[20] The south was undiluted, meaning the native population was dominant, it was routinely

[11] Ibid.
[12] Ibid, p.40.
[13] Ibid.
[14] Bush, G, W. (2010), pp.52-59.
[15] Harnden, T. (2000) The privileged son who reinvented himself as a small-town Texas boy. *The Telegraph.* Available from: http://www.telegraph.co.uk/news/worldnews/northamerica/usa/1378319/The-privileged-son-who-reinvented-himself-as-a-small-town-Texas-boy.html (Date accessed 12th March 2017).
[16] Lind, M. (2003) *Made in Texas: George W. Bush and the Southern takeover of American politics* (A new America book). New York, Oxford, Oxford Publicity Partnership, distributor, p.ix.
[17] Ibid, p.x.
[18] Ibid.
[19] Ibid.
[20] Ibid, p.2.

segregated in the past. The segregation was led by mainstream Southern Protestant development, with Baptists and Methodists dominant, and the Disciples of Christ, the Church of Christ and various other evangelical sects prominent.[21] This was also a place where historically the Ku Klux Klan found strong support there, with various and specific localities having a reputation for firm segregation policies.[22] In terms of Politics, Texas is a strongly conservative area, Bush grew up in the most reactionary community in the English speaking North America.[23]

In his Presidential campaign Bush had great support from Southern "Bible belt" evangelicals who were declining, but still an aggressive minority amongst the US people.[24] Bush received a huge majority of votes from Protestants and Catholics who go church regularly outside of the business community, including the born again Protestants of the South.[25] Bush's support for the incorporation of faith into foreign policy was personified nine days after he took office, as he established the White House Office of Faith-Based and Community Initiatives (OFBCI), making Faith-Based and Community Initiatives become part of government and then later foreign policy.[26] There is no doubt that Bush himself being a born-again Christian who renewed his faith after his fortieth birthday, influenced his support, which came from those who resonated with his loyalty to the faith. During the year 2000 Republican campaign, when asked who his biggest philosopher influence was, Bush replied "Jesus Christ", making it clear that there is an ingrained influence of religion inside him.[27] The level of which religion dominated the thought and decisions of Bush is one of concern where his views have received mixed reactions, with displays of evangelical. Bush starts every day by kneeling in prayer and studying a daily bible lesson, and in 1993 Bush told an Austin reporter that only those who accept Jesus Christ as their savior could go to heaven.[28] In separate interviews in 1994 with the *Houston Post* and in 1998 with the *New York Times*, Bush declared that he was at odds with a statement by his mother that God will accept everyone into heaven, instead referring to the New Testament passage that only Christians will go into heaven.[29] It should be noted that Bush abandoned the belief that only Christians go to heaven after September 11. Bush's religious views were additionally reflected in his anti-homosexuality support along with the criminalization of abortion.[30]

[21] Ibid.
[22] Ibid.
[23] Ibid, p.3.
[24] Ibid, p.108.
[25] Ibid, p.108.
[26] Marsden, L. (2012) Bush, Obama and a faith-based US foreign policy. *International Affairs,88(5), 953-974*, p.959.
[27] Lind, M. (2003), p.109.
[28] Ibid.
[29] Ibid.
[30] Ibid, p.110.

The significance of the south in terms of religion is that radio and television was utilized to spread the religious outlooks, with a particular view being peddled and commonly held by the majority. In Texas, Southern Protestant fundamentalists perceived international institutions like the United Nations or the European Union as evil, stating they are controlled by Satan, with millions having grown up in the Deep South hearing this rhetoric.[31] The influence of this 'good' and 'evil' separation is evident in the rhetoric of Bush when he refers to North Korea, Iraq and Iran as an "axis of evil"[32] (more of this Good v Evil rhetoric will be analyzed in the discourse section of this study later on). A big influencer of this ideology in Texas, was a British man named John Darby, who lived from 1800-1882. During his life, he managed to influence a significant amount of the American Protestant Fundamentalists. Darby's ideology was that in the end, Israel will be recreated as a nation state. God will then intervene to save Israel, Israel will then be destroyed in Armageddon. In these times the Antichrist will lead international confederations and organizations, for Jesus to return and save the Jews, and Temple Mount will be restored where Al Aqsa Mosque is today.[33] The ideology asserts that after all of this, peace will exist for 1000 years under Jesus after Satan is defeated forever.[34] This may potentially explain why the Israel conquest and occupation of the West Bank and East Jerusalem in the 1967 'Six Day War' created jubilation for Protestant fundamentalists particularly in Texas, and other Southern States because it was seen as a fulfillment of prophecy.[35] Due to this 'end of the world' narrative in Texan fundamentalism, Texas is a support hub for a Jewish state. Restoration of the Jewish land became a priority, Texas fundamentalist George Roder travelled to Israel and created a group of believers there and similarly headed a congregation called 'Branch Davidians' in Texas inspired by traditions of Israel.[36] Another strong evangelical influencer was the Texan founder of Christians United for Israel, John Hagee, who is also a pastor at the Cornerstone megachurch of San Antonio has historically hailed Israel for doing God's work in a "war of good versus evil." Christians United for Israel lobbies politicians in Washington, assembles grassroots support for Israel and seeks to educate Christians on what it believes to be the "biblical imperative" of supporting the Jewish state.[37] Hagee is a hugely influential in the Christian-Zionist movement, and in showing support to one of the gatherings of 3500 people held by Hagee, Bush sent a message praising him and his supporters for "spreading the hope of God's love and the

[31] Ibid, pp.143-144.
[32] Bush, G, W. (2003) State of Union Address. *The White House Washington* Available from: http://whitehouse.georgewbush.org/news/2003/012803-SOTU.asp (Date accessed 12th March 2017).
[33] Lind, M. (2003), p.146.
[34] Ibid.
[35] Ibid, p.147.
[36] Ibid, p.148.
[37] Higgins, A. (2006) Holy war: A Texas preacher leads campaign to let israel fight; mr. hagee draws evangelicals by arguing Jewish state fulfils biblical prophecy; 'end of world as we know it'. *Wall Street Journal.* Available from https://manchester.idm.oclc.org/login?url=https://search-proquest.com.manchester.idm.oclc.org/docview/398989882?accountid=12253 (Date Accessed: 15th December 2018).

universal gift of freedom."[38] Although Bush may be influenced by Texas fundamentalists, It is important to also acknowledge that Bush disappointed conservative evangelicals when calling for suspensions of settlements and supporting the Israeli withdrawal from Gaza.[39]

Support of Israel from Protestant fundamentalists has been utilized by right wing Israeli Politicians and their American neoconservative allies.[40] The Jewish right is a minority in the US Jewish community, who are mostly liberal in their domestic policies. On the same token, the Southern Right have always been a minority amongst the white Americans, creating a close sense of peoplehood and affinity between the two collectives.[41] This allegiance is also evident in the close-knit Bush administration that features Douglas Feith (Undersecretary of Defense for Policy 2001-2005), Paul Wolfowitz (Deputy Secretary of Defense 2001-2005), and Lewis Libby (Chief of Staff for Vice President 2001-2005). This allegiance of the Jewish Right and the non-Christian neoconservatives was also further illustrated in the Defense Policy Guidance in 1992 (to be analyzed later in this study) and the establishment of the Project for New American Century think tank.

A Texan historian named Theodore Reed Fehrenback compared the Anglo Saxons to the Israelis which inspired Israeli Prime Minister Netanyahu to then compare Palestinian Arabs to Mexicans. [42] Bush's views on Israel are shared in his book *'A Charge to Keep*' where he refers to his trip to Israel as being "overwhelming feeling to stand at the spot (sea of Galilea) where the most famous speech in the history of the world was delivered, the spot where Jesus outlined the character and conduct of a believer and gave his disciples and the world the beatitudes, the golden rule and the Lord's prayer."[43] Ironically Bush recited a Darby inspired childhood hymn which he remembered from childhood when at the Sea of Galilea, referring to the Jews as "Jew and gentiles". In overlooking that gentiles are all non-Jews including Christians, Muslims and Arabs, Bush fails to talk of the 3 million 'gentile' Arabs under martial law in the occupied territories, Islam and the Muslims in the middle east. [44] The Protestant fundamentalism believes that God gave Abraham and his descendants the land of Israel, including Judea and Samaria until the end of the world as the bible testifies.[45] The conservative imperialist views of Bush may have the exact same similarity with the

[38] Ibid.
[39] Attewill, F. (2008) Bush calls on Israel to end occupation of Palestinian land. *The Guardian.* Available from: https://www.theguardian.com/world/2008/jan/10/usa.israelandthepalestinians1 (Date Accessed: 15th December 2018).
[40] Lind, M. (2003), p.148.
[41] Ibid, p.153.
[42] Ibid, p.156.
[43] Ibid, p.157, and also Bush, G, W. (2001) *A charge to keep: My journey to the White House*. New York, NY, Perennial.
[44] Lind, M. (2003), pp.157-158.
[45] Ibid, p.158.

British in terms of the huge allegiance with the British, the British Prime Minister Tony Blair and going to war together in 2003.[46]

Historically, the British and the South do share a history of global free trade. In the 19th Century the British found their closest political and economic allies in the Southern planters of the US, to the extent that the South is deemed as the 'British part of the US'.[47] Even the Southern religion is the 17th century British Cromwellian Puritanism, as modified by the British John Darby in his dispensationalism, along with an allegiance in the social hierarchy of the South, being same as the 18th century British landed elite, and even the economic theory of the South matches that of the 19th century British free traders.[48]

In terms of Bush and the significance of his faith and religion influencing who he was and how he made his decisions, this is something that needs to be acknowledged and understood when examining his foreign policy. Bush, when asked by television host, Larry King, in a 2004 inter-view whether his faith comes into the office with him, Bush replied: *"I don't see how you can separate your faith as a person from the job of being president*."[49] Many have seen the fact that Bush sees himself as an instrument for God to exercise his will, as a violation of the First Amendment which gives the guarantee of the Church and State separation.[50] The influence of faith and religion on who Bush is has come out in his statements, speeches and interviews, and has also helped shape his political agenda not to mention his electoral strategy.[51] The significance of Bush's faith on his electoral strategy is highlighted more when looking at Karl Rove (below) where Bush's ingrained faith values effectively became the catalyst if not the foundation for his election success. More so than any other president, his White House is filled with individuals who harbor strong faith beliefs and values.[52] Bush's addresses have been compared to that of religious sermons; one of the reasons for this being that Bush regularly states that faith can solve America's social problems.[53] Bush regularly emphasizes that his "relationship with God through Christ has given me meaning and direction" and "my faith has made a big difference in my personal life and my public life as well."[54] Religion has evidently been a significant part of Bush's life, if not a dominant force which has been beyond influential. Faith has also been influential in every campaign that Bush partakes in, with the man who utilized the existence of Bush's faith (Karl Rove) to be examined next

[46] Parmar, I. (2005) 'I'm Proud of the British Empire': Why Tony Blair Backs George W. Bush. *Political Quarterly*, *76*(2), pp.218-231.
[47] Lind, M. (2003), p.158.
[48] Ibid, p.159.
[49] Smith, G. (2006) *Faith and the Presidency From George Washington to George W. Bush From George Washington to George W. Bush*. Oxford: Oxford University Press, see Chapter 11, p.1.
[50] Ibid, p.2.
[51] Ibid, p.1.
[52] Ibid.
[53] Ibid, p.3.
[54] Ibid, p.7.

Karl Rove

Karl Christian Rove was born in Denver, Colorado on December 25, 1950 where he was raised and spent his first 9 years, before moving to Sparks Nevada and then moving to Holladay Utah, at the age of 15.[55] Rove was born to a geologist father, who was "college educated, well-read, and had grown up in a sensibly middle-class home with books, classical music and opera."[56] His mother Reba Wood was the opposite, "never went to college, never had been exposed to books or classical music and wasn't interested in them."[57] Roves father travelled frequently to diverse and distinguished places, of which he shared the experiences with Rove, making Rove have an appreciation for history and vexillology.[58] Rove and his siblings were brought up on tales of Africa, along with all the escapades his geologist father encountered.

In terms of wealth, Rove's parents "never lacked for anything," but the "family budget was always under pressure."[59] Roves mother became an Avon lady, where Rove and his brother helped her. To make extra money for the family, they delivered papers, did gardening, baby sitting and many other money-making ventures and even worked in a hippie shop, often doing many jobs simultaneously.[60] Rove's family home did not contain a television, Rove's dad encouraged the children to read and exercise their minds instead. Rove and his siblings spent holidays with his father on fieldwork which made him an extrovert by his own admission.[61]

Church was a big part of Rove's family life, as his father and grandfather were organizers of the First Presbyterian Church of Golden, Colorado, where summer schools and church camps took place.[62] One of the ministers later informed Rove that Condoleezza Rice had played in front of Rove's dad, and that Rice's dad was an associate pastor at the Montview Presbyterian Church in Denver.[63] Later Rove's family were active in helping initiate the Westminster Presbyterian Church in Sparks, pressing him into canvasser and usher roles.[64]

Having seen people struggle, and come to his family home for food due to backgrounds of gambling

[55] Rove, K. (2010) *Courage and Consequence: My Life as a Conservative in the Fight* New York, NY, Threshold Editions, p.3.
[56] Ibid, pp.1-2.
[57] Ibid.
[58] Ibid.
[59] Ibid, p.4.
[60] Ibid.
[61] Ibid, p.5.
[62] Ibid.
[63] Ibid.
[64] Ibid.

and poverty, Rove has a "lifelong aversion to gambling."[65] Due to his father being away most of the time and his mother prone to "erratic behavior", Rove "took refuge in books" which later fueled his "love of politics." [66] In terms of being a Republican, Rove declared that republicanism fits with his upbringing in "growing up in the Rocky Mountain West, a place of big horizons, long vistas and most important of all, a palpable sense of freedom." Rove felt the West encourages individuality and being personally responsible in a meritocratic system.[67] As young as 13 years of age, Rove consciously supported Barry Goldwater, where he really rooted for the freedom, responsibility and dignity and 'worth of all' mentality, and how politics aimed to protect such rights and ideals.[68] Economics and in particular capitalism, became an influence for Rove when he was introduced to the work of Milton Friedman '*Capitalism and Freedom,'* which then inspired him onto the work of Adam Smith's '*Wealth of Nations.'*[69] Rove's first experience of government was through an internship in the summer, filing papers in a Washoe County clerk's office in Reno, Nevada, where he found the process of government "thrilling."[70]

Rove did not possess natural endowments or skill at sports, nor did his interest with girls occupy his world, instead his passion and strength was in talking and arguing, making him a formidable debater. Rove went to a Mormon school where 90% of the students were Mormon, and he was not. However, his "book hawk" character received affirmation in the debate team, which he referred to as his "tribe."[71] Rove was by his own admission; "obsessive about preparation. We wanted better research and more of it than any of our competitors (a habit I still have to this day)."[72] Rove stated "in high school debate you had to be ready to argue both sides of the question on a moment's notice, so we picked apart our own arguments, anticipated the counter arguments, and picked those apart too. Gaming the debate out as many moves in advance as possible was great training for politics… Debate gave me the habit of examining the case of my candidate and that of his opponent. In a campaign, you need to think not just about what you want to say now, but how that train of arguments and even events will play out over time. It taught me that staying on offensive was important and that once you were on defense it was hard to regain control of the dialogue."[73] Rove would do all that was needed to win, he would "quote authorities the opposition never heard of" using big titles of references to make his opponents lose confidence for not

[65] Ibid, p.6.
[66] Ibid.
[67] Ibid.
[68] Ibid, p.7.
[69] Ibid, p.8.
[70] Ibid.
[71] Ibid.
[72] Ibid, p.9.
[73] Ibid.

knowing the sources and effectively fortifying his debate stance.[74] Rove's reputation as a successful debater meant that he was undefeated in high school speech and debate competitions statewide, along with some important western regional ones.[75] Rove expanded his winning mentality in speeches and debates to campaigns, where his winning streak continued. Rove's first ever campaign in which he ran for, he won. After studying campaigns and elections, Rove observed the importance of speeches, posters and extravagance in winning campaigns.[76] In his Olympus high school Vice President election, Rove turned up with a VW Buggy and a basketball star in the front with him and two ladies in the back either side of him.

In the same year of 1968, Rove inspired further into a life and role in politics, when he was selected by his state for the 'Heart Foundation U.S. Senate Youth Program' in Washington.[77] The seminar Rove attended in Washington, was on the topic of the US government, and was the place where he first had met senators, congressmen and past and future presidential candidates; Barry Goldwater, Ted Kennedy and Gerald Ford.[78] At the end of that same week, Rove met the current president at time; Richard Nixon, at the White House. It was this experience in the White House that created the spark in Rove to come back to Washington one day, knowing he would be back.[79] Simultaneous to all his achievements, adversity was also present in his life. Rove was told he had to leave the house as money was tight, he went to the University of Utah in 1969 and joined the Pi Kappa Alpha fraternity, which also aided him in his accommodation needs when times became difficult financially.[80] Rove's parents divorced in 1970, which inspired rove with an adversity plan, stating: *"when faced with adversity my tendency is to break the problem down into its parts and tackle what I can."*[81]

Wayne Slater, the author of *'Bush's Brain: How Karl Rove made George W. Bush Presidential,'* followed Rove for more than a decade at the time of the interview, and provided an overview on him. Slater stated that Rove is a winner and his mentality is to "beat the other guy for the sake of beating the other guy" and that Rove wants to win because "winning is its own reward."[82] In his debates, when the opponent would have one box of debate cards, Rove would have two, sometimes even a few boxes worth, sometimes most of the cards would be blank but the

[74] Ibid.
[75] Ibid, p.10.
[76] Ibid, p.12.
[77] Ibid.
[78] Ibid, p.13.
[79] Ibid.
[80] Ibid.
[81] Ibid, p.14.
[82] Slater, W. (2005) Karl Rove – The Architect *PBS frontline*. Available from: http://www.pbs.org/wgbh/pages/frontline/shows/architect/interviews/slater.html (Date accessed 1st March 2017).

intimidation factor to make the opponent lose the fight before the fight was a tactic for Rove.[83] "if there is anything that defines a Rove campaign, it is smash mouth politics. He goes after you hammer and tong. Attack, attack, attack is the model that he used."[84] In terms of religion and its significance in winning a campaign, Slater stated that Rove witnessed in Texas, social conservatives, religious conservatives who would vote republican if they could be convinced to vote.[85] It was here that Rove saw similarities between these social and religious conservatives, where he took Bush and peddled him as potential governor in 1994.[86] Religious leaders saw Bush as a religious man due to the way he talked, Rove saw the potential of religion in an election campaign in terms of externally, and Bush had the religion inside him.[87] Rove knew the machinery that religion could bring, and the man who could use the rhetoric correctly, and appeal to the religious conservatives, would effectively win an election. Rove went on to mastermind Bush's governor of Texas campaign, along with his presidential one in 2000. Rove knew the blueprint for a Bush campaign to be elected, way before Bush himself ever considered it.[88] In terms of Rove, he brought a new question to US politics because of his incredible influence on Bush, that question being who really runs the country?[89]

The upbringing, education, and the social environment influences on Rove meant that he was a man of great ability. Although not from the wealthy backgrounds and private school cloth, Rove was selected based on merit, his ways became the ways of Bush in his campaigns, and the only outcome has been success. Rove's positions include; American Republican political consultant and policy advisor. He was Senior Advisor and Deputy Chief of Staff during the George W. Bush administration until Rove's resignation in 2007. Rove held positions also as head of the Office of Political Affairs, the Office of Public Liaison, and the White House Office of Strategic Initiatives.

Before working in the Bush administration, Rove has been credited with the 1994 and 1998 Texas major victories of George W. Bush, as well as Bush's 2000 and 2004 successful presidential campaigns. Bush referred to Rove as "the Architect" when he won his election campaign. Alongside Bush, Rove has also masterminded successful campaigns of John Ashcroft (1994 U.S. Senate election), Bill Clements (1986 Texas election), Senator John Cornyn (2002 U.S. Senate election), Governor Rick Perry (1990 Texas Agriculture Commission election), and Phil Gramm (1982 U.S. House and 1984 U.S. Senate elections).

[83] Ibid.
[84] Ibid.
[85] Ibid.
[86] Ibid.
[87] Ibid.
[88] Ibid.
[89] Moore, J. & Slater, W. (2006) *Rove Exposed: How Bush's Brain Fooled America*. Hoboken, NJ: John Wiley & Sons.

Condoleezza Rice

Rice was born November 14th 1954, in Birmingham, Alabama, to Angelena Rice who was a high school teacher, and Reverend John Wesley Rice, Junior who was a school guidance counselor.[90] Rice's family were proud to belong in Birmingham's educated black middle class of which the privilege was passed on to Rice from the early age of three where she received piano lessons, before later receiving lessons in dance, flute, violin and French.[91] This created limitless potential for her future as far as nurturing her talents and hobbies. Rice grew up in the Titusville neighborhood of Birmingham, and then Tuscaloosa, Alabama during the segregation era in the South where whites were willing to use violence to keep it segregated.[92] Although born into a faith based home, Birmingham, Alabama was the most racially explosive town of the Civil Rights movement.[93] Rice's parents defied discrimination, stood against injustice and clung on to their faith to exceed all expectations in raising Condoleezza to follow the Lord they themselves followed.[94] Rice's parents wholeheartedly believed that she was a gift from God, sent in a specific time and era with a special plan to bring and do good in the world.[95] The grandad of Rice, John Wesley Rice Sr was one of 9 children born to house slaves in Utah.[96] Although Rice Sr was very poor, he was eager to study, where he received a scholarship based on being a Presbyterian Pastor.[97] John Wesley Rice Sr received his degree in 1920 and was sent to plant the first African American church in 1920, called the 'Westminster Presbyterian Church,' in Alabama Birmingham.[98] It was here that he made it a personal mission to get the Church to ensure that parents who attend, receive aid and help to enable their children, and effectively the next generation, to have access to college.[99] Rice's parents were beneficiaries of the struggle and hard work of Rice's grandad as well as many other integrated African Americans of that era, meaning there was a process historically that enabled Rice to become the person she was. Segregation impacted Rice more on a personal level, as one of her high school peers was one of four killed when a Baptist Church was bombed in 1963.[100] It meant more than dining out one particular evening, when Rice and her parents enjoyed an opulent dinner. This was after the Civil Rights Act of 1964, in an affluent diner in Birmingham, which they had been previously excluded from.[101]

[90] Mann, J. (2004) *Rise of the Vulcans: The History of Bush's War Cabinet.* New York, p.146.
[91] Ibid, p.147.
[92] Ibid.
[93] Montgomery, L. (2007) *The Faith of Condoleezza Rice* Crossway, p.20.
[94] Ibid, pp.20-21.
[95] Ibid.
[96] Ibid, p.25.
[97] Ibid, p.27.
[98] Ibid.
[99] Ibid, p.28.
[100] Ibid.
[101] Ibid.

As Rice's father advanced in his career, the family moved first to Tuscaloosa where her father was a college dean, and then two years later to Colorado where he began working as a University of Denver administrator.[102] At age 13, Rice attended St. Mary's Academy, a catholic private prep school which was the first integrated school Rice ever attended.[103] The historic school, which has dominated as an education leader in three different centuries (est 1864), aims to influence students to have values of faith, community and justice to eventually become agents of change.[104] At St. Mary's, Rice was introduced to the heavy workload life of balancing numerous projects and challenges at once. It was here where Rice then mastered the art of managing and dealing with numerous challenges at once, something which she later stood out for in her career. Kiron Skinner, a graduate student of Rice later recalled astonishment at how Rice manages so many time consuming obligations as department director of graduate studies, working as assistant director of Stanford's Arms control project, teaching and writing a book whilst overcoming the death of her mother.[105]

Despite entering University to study music, Rice learned that her talents in the art meant she should re-think, and after a module in politics taught by Professor Joseph Korbel (the father of Madelaine Alright), she did so. Korbel was a Czech diplomat, who fled from communism and Nazism, this sparked a passionate inquisition in Rice, to the extent that she changed her major, and graduated with a BA in Political Science, from the University of Denver.[106] Whilst at the university of Denver, Rice was part of the Phi Beta Kappa Society, which also had 17 former presidents of the US as members. Rice then completed an MA from the University of Notre Dame in 1975, and then her Doctorate in Russian History from the University of Denver's Graduate School of International Studies in 1981, to immediately then start teaching Political Science at Stanford University.[107]

Initially a Democrat, who voted Jimmy Carter for president in 1976, she then changed to Ronald Reagan's Republicans, as Rice perceived the policy of Carter towards the Russians was too weak.[108] Stanford Colleague; Coit Blacker observed that Rice has "always been fairly conservative," and saw herself as more of a republican, due to how Carter handled Afghanistan policies.[109] Regardless of her support for Reagan, Rice never bought into the rhetoric that the US is a beacon of democracy,

[102] Ibid.
[103] Ibid.
[104] St Mary's Academy, Denver, Colorado. *St Mary's Academy* Available from: http://stmarys.academy/. (Date accessed 1st March 2017).
[105] Mann, J. (2004), p.149.
[106] Ibid, p.147.
[107] Ibid.
[108] Ibid, p.148.
[109] Ibid.

she felt it was at best 'an imperfect democracy.'[110] Clearly influenced by her personal experiences with race struggles and her own sense of her history, Rice states 'My ancestors were property - a fraction of a man. Women were not included in those immoral constitutional phrases concerning the right of the people; in the course of human events' to choose who would rule."[111] However as time went on Rice started to believe that despite the shortcomings and not so principled past of US democracy, the US has still served as a beacon for democracy nevertheless. [112] Rice believes in the US experiment, and that the US is a model force for good in the world, this comes across in the publications she writes and the speeches she gives.[113] Rice nominated Harry Truman as her person of the century when asked by *Time Magazine*, she also held great regard and respect for John Foster Dulles.[114] In an interesting study, Frazier made a statement that what he terms 'the black bourgeoisie' assimilates the white standards of respectability, beauty, standards and consumption despite being rejected by the white world.[115] It is interesting that despite her background, Rice has lived a very distinguished life in comparison to the masses of black people in the US, with great assimilation to the white US in the process.

Rice was elite in her achievements, despite the adverse energy that may have surrounded her. For example, a guidance counselor told her that she was not college material despite having a straight A's record at St Mary's.[116] If the impossible is the undone, then this can be applied to Rice as she had lived a life already displaying rare traits that enabled her elite achievements. Rice skipped the first and seventh grade and entered university at age 15 to graduate at 19.[117] If her achievements did not position her firmly in the spotlight, her background along with her personality did. She had firm knowledge of the Russians, gave articulate explanations and had a refreshing optimistic personality.[118] She was usually the only black person, only woman and only black woman. Who she was, and what she had to offer impressed those at the top of the US foreign policy leadership, this was to such an extent that she was deemed to have a limitless potential.[119] Her charisma and influential effect on others was formidable, when entering a room her charm was compared to that of Bill Clinton.[120]

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[110] Ibid.
[111] Ibid.
[112] Ibid.
[113] Nordlinger, J. (2004) "Star-in-Waiting: Meet George W.'s foreign-policy czarina" *National review (New York)*, *51(16)*, p.36.
[114] Ibid.
[115] Frazier, E. (1997) *The Black bourgeoisie*. New York: Simon & Schuster, p.26.
[116] Mann, J. (2004) p.147 and also New York Times (1993) 'Campus Journal; From 'Not College Material' to Stanford's No. 2 Job' *New York Times* Available from: http://www.nytimes.com/1993/06/23/news/campus-journal-from-not-college-material-to-stanford-s-no-2-job.html (Date accessed 1st March 2017).
[117] Nordlinger, J. (2004).
[118] Mann, J. (2004), p.146.
[119] Ibid.
[120] Ibid, p.148.

Asked about the impact of race in her life and whether it was a hindrance where she was from or whether it worked in her advantage to get her to where she is, Rice answered "I can't go back and recreate myself as a white male."[121] Instead her optimism prevails over all other factors which is signified in her success. Rice states on religion; "I have a very, very powerful faith in God, I'm a really religious person and I don't believe I was put on this earth to be sour, so I'm eternally optimistic about things."[122] This optimism was most evident in the passing of her mother, a deep sense of belief in God through Christianity which was influenced by her father who was a theologian.[123] Witnessing her father patrolling the streets of their neighborhood as security against the Klu-Klux-Klan, Rice believed that God was in control and had a special plan for Rice and her family.[124] Rice states "I know that whatever is ahead for me, the reason that I can be as excited as I am, really with very little trepidation, is [because I] believe that it was God's plan for me to be where I am today and that God has a plan for me to be someplace in the future."[125] It is clear that Rice has a firm and ingrained belief in God and his plan for her, which plays a big part in how she operates and who she is.

Her expertise in Russian History granted her a position on the National Security Council as the affairs Advisor to then President George. H.W Bush on Soviet and Eastern Europe. This was followed by her official post as George W Bush's National Security advisor (2001-2005) during his first term followed by Secretary of state (2005-2009) position that followed, also in Bush's cabinet.

Rice was part of numerous think tanks until her post in the Bush cabinet, where she was an international affairs fellow at the Council on Foreign Relations amongst other roles.[126] Her political posts meant she was an asset in the corporate world as she headed up Chevron's committee on public policy, and as well as a director role at Chevron she also served on the board of directors for the Carnegie Corporation, Charles Schwab Corporation, Hewlett Packard, Rand Corporation and also a position on the Advisory council of J.P. Morgan.[127] So formidable her presence and so incredible her contribution, as a Russia specialist her expertise meant she could play a decisive role with the President of Kazakhstan (which she was acquainted with in her FP role) that she had a

[121] Nordlinger, J. (2004), p.37.
[122] Ibid, p.37.
[123] Montgomery, L. (2007) The Quiet Faith of Condoleezza Rice. *Charisma Magazine* Available from: http://www.charismamag.com/blogs/487-j15/features/women-of-leadership/2255-the-quiet-faith-of-condoleezza-rice (Date accessed 1st March 2017).
[124] Ibid.
[125] Ibid.
[126] Think Tank Watch; The world's source for Think Tank news and information. *Think Tank Watch* Available from: http://www.thinktankwatch.com/2012/07/condi-in-think-tank-land.html (Date accessed 1st March 2017).
[127] Mann, J. (2004), p.226.

super tanker renamed after her.[128]

Richard Bruce Cheney

The 46th Vice President of the United States was born on January 30th, 1941, in Lincoln, Nebraska, and raised in Sumner, Nebraska and Casper, Wyoming. Cheney was born to Marjorie Lorraine Cheney, who had a professional softball career, and Richard Herbert Cheney who worked for the US department of Agriculture as a consultant in soil conservation. Cheney achieved a B.A. and MA from the University of Wyoming in Political Science, this was followed by the starting of his PhD at the University of Wisconsin-Madison. However, he did complete his doctoral studies. It should be noted that previous to his B.A. Cheney also attained a scholarship at Yale, however dropped out within two years as he did not relate to Yale by his own admission, and instead wanted to travel.[129]

Cheney's political career commenced with a Congress fellowship for congressman William Steiger under the Richard Nixon Administration where he later joined the staff of Donald Rumsfeld as a special assistant when he was Director of the Office of Economic Opportunity from 1969-70.[130] Cheney's political career then witnessed him in numerous posts; President Gerald Ford's Chief of Staff from 1975 to 1977, followed by serving six terms in Congress, then appointed as Secretary of Defense for President George H.W. Bush in 1989 and finally Vice President in 2000 for George W. Bush.

As early as Kindergarten, Cheney's report cards stated, "Richard does not give up easily" whilst in third grade his teacher deemed him to have "the qualifications for a good leader."[131] Cheney's early enterprise skills had him earning 30 dollars a month at age twelve from mowing lawns and delivering the '*Lincoln Star'* paper, so impressive to his hometown that he made the paper in a short-featured headline *"Star Carrier Dick Cheney*."[132]

His personality was centered around patience and he was a man who did not really talk much "He's not necessarily what you call the life of the party" according to his friend Dennis Hastert, who served with him in the House.[133] His favorite sport was fly-fishing, with his wife Lynne stating that the best way to understand him was his love for the sport; "not a sport for the impatient….and definitely not a sport for chatterboxes," Cheney even refused to go fishing once with his friend

[128] Ibid, p.225.
[129] Medved, M. (1979) *Interview with David Gribben, The Shadow Presidents* New York: Times books.
[130] Mann, J. (2004), p.11.
[131] Cheney, D. (2011) *In My Time: A Personal and Political Memoir* New York: Simon & Schuster, pp.18-19.
[132] Ibid, p.19.
[133] Baker, P. (2013) *Days of Fire: Bush and Cheney in the White House* New York: Random House, p.15.

because “he talks too much.”[134] Pete Williams who worked for Cheney on Capital-Hill and the Pentagon said about Cheney “There is no Ivy League thing, there is no big city thing, there is no prep school thing…He went to a public high school…He didn’t have the blue blazer, he didn’t have the crest, and he didn’t have the whale belt and the purple pants and all that stuff…he came here pretty much on his own two feet. I think that that has always given him a great deal of self-confidence… I think it liberated him to follow his own conscience. He didn’t have chits to repay, he didn’t have errands to run, he didn’t have to worry about being ostracized if he took a view that was unorthodox. He just took the measure of himself and that was enough.”[135]

Cheney had a turbulent time with alcohol, his grades were so bad in his freshman years, that the dean wrote to his parents, and the university cut off his scholarship. In his sophomore year, he would return to Wyoming to work for $3.10 an hour as an electrical lineman, before heading back to Yale in 1962, and re-encountering alcohol problems which had him jailed.[136] In 1968, Cheney came to Washington on a fellowship from the American Foreign Studies Association, where he later met Donald Rumsfeld for the first time at an orientation.[137] Although they did not get on initially, Rumsfeld became the man who stood by Cheney later on which marked the start of a loyal camaraderie. [138] Many years later, a thirty-three-year-old Cheney was assisting President Gerald Ford run the nation, serving as Donald Rumsfeld’s deputy Chief of Staff.[139] For Cheney, he was not from the usual prep or private school cloth, and his time at Yale had him felling like the other students were “speaking another language” when they were talking to him[140] and that he was no longer the “big fish in the small pond”.[141] The unorthodox non-elite upbringing would hinder almost everyone else, but not Cheney who on merit was more than impressive and therefore was elite in character and ability. Cheney said that all he had going for him was “the good opinion of Don Rumsfeld,” whilst impressing Ford who deemed him as a “pragmatic problem solver” who “works 18 hour days” and Ford declared about Cheney to him that he “was absolutely loyal to me.”[142] It was from here that a long political career began. Cheney had created a reputation for being unyielding and formidable, giving him the credibility that would make him sought after.

In terms of his religion, Cheney made it clear over the years that this was something that he preferred not to talk about, clarifying this in an interview; "I just think it’s a private matter.. I was raised a Methodist. My family and my folks were very active in the church. Lynne and I were

[134] Ibid, p.16.
[135] Ibid, p.18.
[136] Ibid, p.23.
[137] Ibid, pp25-26.
[138] Ibid.
[139] Ibid, p.27.
[140] Cheney (2011), p.26.
[141] Ibid, p.27.
[142] Baker (2013), p.27.

married in the Presbyterian church because that's where she had gone as a youngster, and we, probably, if we go to any one particular church now more than any other, it's the Episcopal church."[143]

Cheney's political post vacuum from 1995 to 2000 was filled with a corporate CEO role at Halliburton in which he doubled the company's value in that period to almost $12billion. He was also a director of the foreign policy think tank Council on Foreign Relations in the periods of 1987-89 and1993-95.[144]

Paul Dundes Wolfowitz

Wolfowitz was referred to as the leading architect behind the Iraq war.[145] He was born on December 22nd, 1943 in Brooklyn, New York, to a Polish, Jewish family of immigrants in the US. His father was named Jacob Wolfowitz, and was a Professor In the theory of statistics at Cornell University, and his mother was Lillian Dundes.[146] Wolfowitz grew up in Ithaca, New York. Jacob Wolfowitz was a big advocate of Zionism, and had a successful career in academia where he taught at Columbia and eventually Cornell.[147] Jacob Wolfowitz was one of the few survivors in his family that has escaped Poland before Hitler had embarked on the genocidal assault on the Jews.[148] Jacob Wolfowitz had a doctorate in mathematics and was part of a senior research group which conducted wartime studies for the US military, his passion for mathematics also passed on to Wolfowitz, who pursued a similar route in his education.[149]

The education of Wolfowitz, started with a BA in Mathematics through a full academic scholarship from Cornell University in 1965, where although he majored in mathematics and chemistry, towards the end of his degree his interest was around history and politics.[150] The scholastic record that Wolfowitz achieved at Cornell qualified him for membership at the '*Telluride Association*' which became one of the first exclusive clubs that Wolfowitz became a member.[151] Telluride Association was set up by a wealthy Colorado businessman where you received a free room and

[143] Campbell, C. (2015) Cheney, R. Interview. *Business Insider UK* Available from: http://uk.businessinsider.com/dick-cheney-just-gave-an-emotional-and-intense-interview-in-playboy-2015-3?r=US&IR=T (Date Accessed: 1st March 2017).
[144] CFR - History of CFR directors. *Council on Foreign Relations* Available from: http://www.cfr.org/about/history/cfr/appendix.html (Date Accessed: 1st March 2017).
[145] Thompson, M. (2003) Paul Wolfowitz: Godfather behind the Iraq War, *CNN* http://edition.cnn.com/2003/ALLPOLITICS/12/29/timep.wolfowitz.tm/ (Date Accessed 1st March 2017).
[146] Mann, J. (2004), p.23.
[147] Ibid.
[148] Immerman, R, H. (2010) *Empire for Liberty, A History of American Imperialism from Benjamin Franklin to Paul Wolfowitz*, Princeton University Press, Princeton, p.198.
[149] Ibid.
[150] Solomon, L, D. (2007) *Paul D. Wolfowitz – Visionary Intellectual, Policymaker, and Strategist.* Praeger Security International, pp.10-11.
[151] Immerman, R, H. (2010), p.199.

board in an all-male setting initially till Wolfowitz's sister broke the chain and became the first female.[152] This elite group of Cornell students shared campus residence at the Telluride House, learning democracy through practice, and taking full control of all the responsibility in terms of maintenance, including the cleaning of the house. They also used the opportunity of the group's authority and pull to organize seminars, speakers and intellectually stimulating activities and exchanges.[153] Telluride was diverse in its members, Allan Bloom; a bestselling author himself, a traditionalist who wrote *'The Closing of the American Mind'* also entered the house. Bloom developed a network of students of which Wolfowitz was one, alongside many others including Francis Fukuyama and Abram Shulsky. Wolfowitz would later call Bloom for advice, appreciating his traditionalist views and ideologies, when facing the conundrums in Washington.[154] Bloom himself was significantly influenced by the work of his former teacher, Leo Strauss, who was also crucial in terms of Wolfowitz' future decisions, visions and directions. Wolfowitz then pursued a masters in Political Science from the University of Chicago in 1967 and a PhD in Political Science from the University of Chicago in 1972. However, during his time at Chicago, his conservatism was not so luminous or effervescent, this came to be more evident when he was a signatory on a conservative think tank called Project for New American Century later in his career (which will be examined later in this study). Although Strauss taught Wolfowitz, he was not especially close to him. Peter Wilson who was a friend of Wolfowitz stated in an interview that Wolfowitz did not mention Strauss much during those times, nor was he particularly interested in politics, but he was deemed to be more centrist and more of a moderate Republican.[155]

However later on in his career, colleagues in government and academia thought of Wolfowitz as one of Leo Strauss's heirs; "Wolfowitz is a leading Straussian" declared Jeane Kirkpatrick, in an interview in 2002.[156] The ideas of Straus were unique and written to indirectly bring forth ideologies without direct reference to policy making. Straus did not believe that all points of view are equal. He believed an elite group of advisors was needed to impress upon a leader and upon the masses, about moral judgments about good and evil.[157] This leader needed to be firm in his actions and be willing to combat tyranny (dictatorship) by all means, he held great regard for Winston Churchill for his stance and ways towards combatting Adolf Hitler.[158] The work of Strauss also influenced anticommunism notions during the years of the Cold War, when the rhetoric of good and evil started to be used by President Ronald Reagan who referred to the Soviets as an "evil empire."[159]

[152] Ibid.
[153] Ibid.
[154] Ibid.
[155] Mann, J. (2004), p.28.
[156] Ibid.
[157] Ibid, p.26.
[158] Ibid, p.27.
[159] Ibid, p.27.

The thought of Strauss also created a doubt in institutions such as the United Nations and other impartial peace keeping and organizations as they were deemed as barricaded to universal homogenization.[160] Leo Strauss was said to have been a major influencer of Wolfowitz and the other neoconservatives (later covered in the study) in terms of their decisions for the war in Iraq in a study by Hirst.[161] A significant impact of Strauss was on Abram Shulsky who developed Strauss's ways in intelligence gathering where the belief was because all tyrannical leaders try to maintain power at all costs, that intelligence should focus on the deception of regimes, and therefore use spies in intelligence gathering.[162] Wolfowitz was not satisfied with the intelligence that solely confirmed pre-conceptions of the US in the later years of the Iraq War. Instead Wolfowitz was eager to obtain intelligence reports that confirmed his own conservative views, this was later alongside Abram Shulsky who was his friend and classmate.[163] However, despite this, Wolfowitz made it clear that he did not like the label of 'Straussian,' and instead kept a distance from being identified with Strauss. [164]

Although Wolfowitz was inspired by senior political names like Cheney, Rumsfeld and George Schultz, he also nurtured his own students such as Lewis Libby who later ended up in the Bush cabinet with him.[165] His academic career as a professor started firstly when he began teaching (whilst studying his PhD) at Yale University from 1970-73. He later became professor at School of Advanced International Studies from 1980-81, moving on to serve again as professor at the National Defense University in 1993 and later professor at the John Hopkins University from 1994-2001.

His political career included the following; special assistant role in the US Arms Control and Disarmament Agency, deputy assistant secretary for regional planning (1977-80), Director of Policy Planning (1981-82), US Assistant Secretary of State for East Asian & Pacific Affairs (1982-86), US Ambassador to Indonesia (1986-89), Undersecretary for US Defense Department (1989-93) and the Deputy Secretary of Defense in the US defense department in George Bush's cabinet from 2001-2005 before eventually becoming president of the World Bank.

In terms of Wolfowitz and his motivations, his displayed goals were for US foreign policy to spread idealism, his views on US interests were firm. He first viewed Iraq as a threat in the 1970's, where he deemed a dominant state that is hostile to the US may indeed dominate the oil reserves of the

[160] Ibid.
[161] Hirst, A. (2013) *Leo Strauss and the Invasion of Iraq: Encountering the Abyss* Routledge Taylor & Francis Group.
[162] Mann, J. (2004), p.28.
[163] Ibid, p.75.
[164] Ibid.
[165] Ibid. p.22.

Persian Gulf.[166] From the time of Bush Senior's policy towards Iraq, Wolfowitz started to believe that the US should be militarily engaged in removing the world's tyrants that held US values and liberties in contempt, it was from here that Wolfowitz began to actualize the US mythic mission.[167] It was only later that the rhetoric of freedom and democracy entered his thought processes. When Wolfowitz did switch his interest from the Middle East to East Asia, he said "it was like walking out of some oppressive stuffy room into sunlight and fresh air" as he saw the Middle East as a place were problems were created, but in East Asia problems were solved.[168]

Lewis Paul Bremer III

Bremer was born on September 30, 1941, in Hartford, Connecticut to father Lewis Paul Bremer II, who was the President of the Christian Dior Perfumes of America, and Nina Struthers who was a lecturer in art history at the University of Bridgeport.[169]

Bremer's early education started with the New Canaan Country School (NCCS), in Connecticut, which was a private school for ages 3 and above. Later the elite school of Phillips Academy, Andover was where Bremer attended prep school. It must be noted (mentioned above also) that such private institutions are the most expensive of private schools to attend, and having the opportunity to attend is a once in a lifetime opportunity. Not only do such institutions educate, they also acculturate individuals to a certain style of life, notably the upper class. Private school or prep school attendance is a display of the upper class and wealthy background indicators. There is a trend that the majority of Phillips Academy students attend Yale upon graduation, which was affirmed in the case of Bremer, as well as Bush above. Having access to the privilege of such institutions naturally creates opportunities that may not otherwise exist for individuals. Bremer pursued higher education with a BA from Yale University in 1963, followed by a Certificate of Political Studies from the Institut d'Etudes Politiques de Paris in 1964, before completing an MBA from Harvard University in 1966.[170]

As soon as Bremer finished his studies he joined the Foreign Service. His first post was Vice Consul for the US State Department in Kabul, Afghanistan, from 1966-68. This was followed by a range of Foreign service roles; Economic Political Officer, Blantyre, Malawi for US State Department from

[166] Ibid, p.368.
[167] Immerman, R, H. (2010), p.216.
[168] Mann, J. (2004), p.368
[169] Bremer, P Jr. (1977) Special to the New York Times. *New York Times.* Available from: http://www.nytimes.com/1977/02/28/archives/l-paul-bremer-jr.html?_r=0 (Date Accessed 1st March 2017).
[170] NNDB - Tracking the entire world *NNDB.* Available from: http://www.nndb.com/people/289/000023220/ (Date Accessed 1st March 2017).

1968-71, Executive assistant to the Secretary of State from 1971-76, Deputy chief of Mission in Oslo Norway for US state Department from 1976-79, US Executive Secretary of State from 1979-83, US Ambassador to the Netherlands from 1983-1986, US Coordinator for Counterterrorism from 1986-1989, Kissinger Associates managing director from 1989-2000, Marsh and McLennan Chairman and CEO for the Marsh Crisis Consulting Company from 2001-2003 before taking his position as the head of the Coalition Provision Authority in Iraq in 2003.[171]

Bremer was also a member on the board of Air Products and Chemicals (1990), Akzo Nobel, Conner Peripherals, Chugai Pharmaceuticals International Advisory Board, Komatsu International Advisory Board, Council on Foreign Relations, trustee on the Economic Club of New York, Rand Corporation Director for the Center for Middle East Public Policy.[172]

Early Analysis of the selected six

Having looked at the selected six individual decision makers, it is clear that there are a number of commonalities between them. One factor is for certain, if we are to label these individuals as elites, then recruitment is made possible in two distinctive ways. Firstly, through the privilege of birth into an upper-class family, and secondly purely based on merit which makes the individual become acknowledged. It is clear that elite level achievements attract previous generation elites, who may want to utilize such abilities, deeming them useful in serving elite interests. Bush, Wolfowitz and Bremer were clearly aided by the fact that they were from a background of privilege and wealth, where their career paths were orthodox in terms of being what is expected for wealthy upper class. It can be said however that Rove, Rice and Cheney had a different fate, and that they became who they were because of individual merit, and excellence. The Zionist background of Wolfowitz would have inspired his allegiance to the conservatives (aided by the influence of Bloom). The Straussian influence also created fertile ground for a close relationship with Bush, who made it clear there was a battle between 'good' and 'evil' (the discourse will be examined shortly). The individual merit and ability of Rove meant that his natural and nurtured ability to debate gained him the internships which triggered the start of his political career, where he was noticed by other high-ranking government officials. The fate of Cheney was similar, he had an incredible work ethic, along with Rice. There achievements impressed elites who were former and current presidents (at the time). Therefore, one characteristic is undisputable: to be a part of this elite if you are not born into it, the minimum requirement is excellence at the highest level. Only then do the connections start to develop and solidify, leading to positions of influence in decision-making.

[171] Ibid.
[172] Ibid.

Other similarities between the selected six are that the majority (5 out of the 6 highlighted) previously held roles in corporations prior to their political post in the Bush administration. The same five had also previously held either CEO or director roles in the corporations they were associated with. The same amount of people (5 out of 6) were also part of elite think tanks, a dominant one was the Council on Foreign Relations who aimed to systematically move the US away from being a hermit nation, moving instead towards leading the world in a position of global dominance (see below and in previous chapters). Apart from Rice, all those that were highlighted had attended elite universities (Bush: Yale and Harvard, Cheney: Yale, Wolfowitz: Cornell, Bremer: Yale and Harvard). This early analysis indicates a clear link between elite education institutions and the Bush elite, along with links to decision-making roles in corporations, and think-tanks that influence with aims for US global dominance.

Religion also has a key presence with Rice and Bush both holding strong faith values, with this being highly influential in their lives, and also decision making. The presence of religion, in particular Christianity, is a big influencer in terms of decision-making. This was the case for Bush specifically. By his own admission, he made it clear that he cannot separate his faith from his position. What needs to be acknowledged here is that if Bush is the president of the US, and he admits he is influenced by where he is from, which is Texas, and that Texas is influenced by Christian fundamentalism, then it needs to be noted that US foreign policy has fundamentalist influences. It has to be acknowledged that personal value can never be fully detracted or ignored from making decisions, and that regardless of who you are, it will influence you. Religion and faith has also created a divine feeling and sense of existence for Rice and Bush (which is elaborated more in the world views section which analyses discourse below), where religion and faith is applied to the US, and the personal divine mission of Rice and Bush is applied to the US. This divine mission then makes the US a nation chosen by God, to lead and make the world a better place, indicating a strong influence of Christianity, to the point where American Christianity developed (see the world views section later in this chapter). It is important therefore to look further now into other factors such as social backgrounds and networks of all the selected thirty-five decision makers, before looking at their worldviews.

Social backgrounds and locations

Only 9 of our elites were born on the east coast with the rest spread across the rest of the US, indicating diversity in the decision-making regarding place of birth. In terms of social class, 16 of the elites were from wealthy backgrounds, and this would have perceptibly opened more doors in the early stages of their careers

Ivy League institutions and education backgrounds

Over half of the decision makers (18 out of 35) were educated in the Ivy League universities, with 10 of our decision makers previously attending Harvard, 5 at Yale and also 4 at Princeton, indicating a strong elite education background in over 50% of the decision makers. The individual institution numbers are representative of the fact that some decision makers went to two or more of these institutions. All 35-decision makers were university educated, proving to hold at least one degree.

Think Tanks

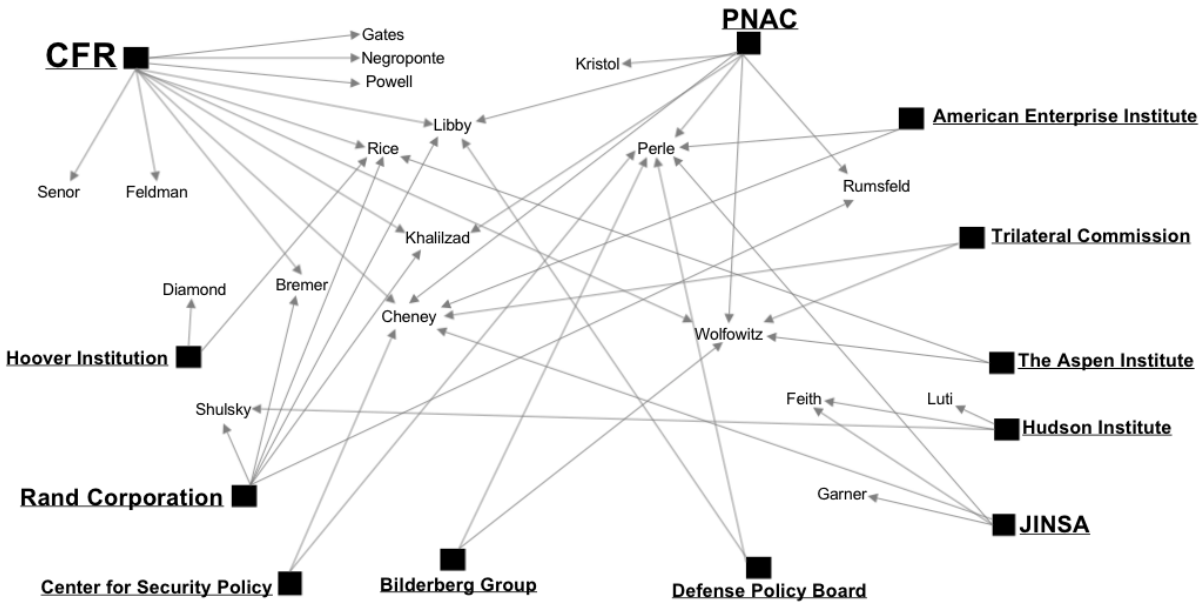

Figure 3.1 Shared policy planning networks between our decision-making elite (based on research data collected by the author).

Note: The policy planning bodies that have two or more connections to our decision-making elites are presented. In the process, it is clear to see how members of our selected Bush elite are connected through one or more policy planning body.

The majority (21 in total) of the 35 elite decision makers had think tank associations and affiliations prior to their position under Bush post 2001. Figure 3.1 illustrates the interconnections between the Bush elite decision-makers through policy planning bodies, backing up the claims of elite

theory. The individuals with the highest affiliations were Rice, who had links to 9 think tanks with one of her roles being director of Rand for a significant period. Rumsfeld had 8 connections, including chairman of Rand in the two decades before his post in the Bush cabinet and Kristol with 7. These 21 individuals had over 72 memberships in total, with 11 individuals being members of the Council on Foreign Relations (CFR), 7 were members of Project for New American Century (PNAC) and 6 were members of the RAND Corporation (RAND). I will now present the significance of CFR and PNAC memberships and also the roles that certain members held at these think tanks. I will also present what these think tanks aims are in the grand scheme of policy influence and planning.

Council on Foreign Relations

Starting with the CFR (which had the highest number of subscribers with 11 members), it is important to relay the goals of the CFR (for the history of how the CFR is the US foreign policy establishment see introduction chapter). The aim of the CFR was to systematically move the US away from being a hermit nation, and instead move towards leading the world in a position of global dominance.[173] The inception of the CFR was predominantly funded and set up by wealthy businessmen, with a clear and fortified connection to the banking world, where corporations sought to create a more imperial US for economically beneficial purposes.[174] From our decision makers, Cheney (Vice President) and Rice (National Security Advisor) both during different periods, held director positions. Given the aim of the CFR and the high number of members from my decision-makers, a large number of our decision makers will have potentially been influenced by the CFR. The extent which the ideology and world views are affected and influenced towards US global dominance, will be further examined in the world views section below. However, at this stage it is important to note the evident presence of the ideology of the CFR think tank in decision-makers of the Bush elite.

PNAC

PNAC was the think tank with the second highest number of members, with 7 of our decision makers being members, and 6 of the members being signatories on the original statement of principles. The goals of PNAC were to preserve and extend an international order friendly to US security, prosperity and principles, along with promoting the cause of political and economic freedom abroad, in the process rallying the case for US global leadership.[175] With the goals of PNAC being similar in to the CFR (in terms of global dominance), it is no coincidence that 4 of our PNAC

[173] Shoup, L.H. & Minter, W. (2004), *Imperial brain trust: the Council on Foreign Relations and United States foreign policy*, Authors Choice Press, Lincoln, Nebr, p.19.
[174] Ibid, p.3.
[175] PNAC (1997) Project for New American Century Statement of Principles. *Project for New American Century* Available from: http://www.rrojasdatabank.info/pfpc/PNAC---statement%20of%20principles.pdf. (Date accessed 1st March 2017).

signatories were also CFR members simultaneously, prior to their position in the Bush cabinet. It is therefore important to note that the aims of PNAC would have in some ways contributed to the world views of our decision makers, and effectively their decisions (which will be examined further in this study). So as far as think-tank influence is concerned, there is a presence of global domination ideology in our elite decision makers, which again will be analyzed and examined more so through the world views of our elites.

In terms of Iraq, the founders of PNAC (William Kristol and Robert Kagan) have been writing articles promoting regime change from the inception of PNAC. This was firstly through a letter to Bill Clinton,[176] and later through a letter to George Bush,[177] urging regime change. Therefore, those that were members of the think tank would have been the first to be influenced by the pro-war ideologies, not to mention the fact that our decision makers were the ones who were pushing the war through the think tank.

The corporate Ties

The 35 elite decision makers that were examined proved to be very heavily linked with corporations prior to their position regarding Iraq. 18 individuals out of 35 had prior associations with corporations, with 80 corporation links in total meaning the elites who had corporate connections had more than one. The breakdown of each sector and how many ties were found are as follows; energy – 8, technology – 8, law firms and consulting -13, finance – 13, transport/ construction and manufacturing – 6 and other consumer goods and services 28.

Bush was one of the decision makers who had corporate links, 3 oil firms included along with the transport industry and consumer goods and services. Although also mentioned previously, Cheney was CEO of the giant energy and private contractor Halliburton (which was awarded the most contracts in Iraq), along with positions in sectors of finance, consumer goods, technology and construction. Rice (also

mentioned above) was extremely industry heavy, with director roles at 5 different corporations across the sectors of energy, finance and technology, with the highlight being a director role at Chevron. Another highlight would be Rumsfeld, who had 14 corporate ties before his role in Bush's cabinet as secretary of defense, with 7 of those roles as director, and 2 as CEO. The fields in which these corporate ties existed were finance, media and marketing, technology, transport, manufacturing, construction and other consumer goods and services.

[176] PNAC (1998) Letter to President Clinton on Iraq. *PNAC* Available from: https://web.archive.org/web/20131021171040/http://www.newamericancentury.org/iraqclintonletter.htm (Date accessed 1st March 2017).
[177] PNAC (2003) Letter to President Bush on Terrorism. *PNAC* Available from: http://www.globalresearch.ca/articles/NAC304A.html (Date accessed 1st March 2017).

In addition, Richard Perle was another decision maker who had diverse corporation links in different fields, with numerous associations to the media, technology and pharmaceutical industries, also holding a CEO and director role at the media giant Hollinger International and Hollinger Digital Inc. Interesting prior corporate links were also held by Bremer (to be head of CPA) prior to 2003, where he was on the board and advisory panels of 5 different transnational corporations.

The huge number of corporations being linked to these elites, due to prior affiliation through positions and roles, indicates a corporate background of great significance in our selected decision makers. Therefore, it has to be acknowledged that there is a clear presence of corporate mindsets and thought processes in our decision makers, which may impact their decision-making. At this stage, it is clear that the question must be asked of what this meant in the decision-making of elites individually and as a unit or cabinet, with regards to the Iraq War.

Previous political positions

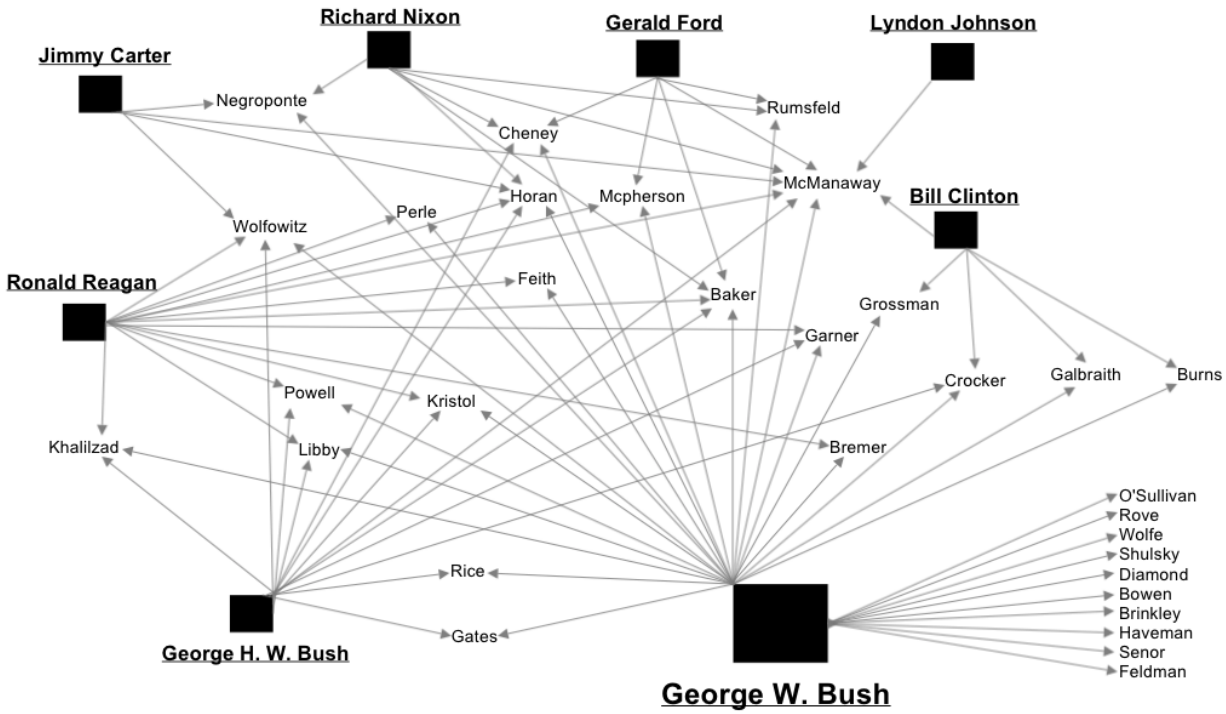

Figure 3.2 Career paths of the Bush elite in previous US administrations (based on research data collected by the author).

In terms of previous roles in the US government 33 of our 35 decision makers had previously worked in the US government or the US military, prior to their post In the Bush cabinet. The impressive feature in this group of decision makers was the fact that they were linked to 7 previous

administrations (Johnson, Nixon, Ford, Carter, Reagan, Bush Senior and Clinton). Cheney had previously held positions of Chief of Staff under the 38th US President Gerald Ford, followed by the role of Assistant to Director of the office of economic opportunity under 37th President of the United States; Richard Nixon, and then Secretary of Defense under 41st President of the United States George H.W. Bush (Bush Snr). Powell has previously been National Security Advisor under 40th President of the United States Ronald Reagan as well as Chairman of the Joint Chiefs of Staff under Bush Snr. Wolfowitz was Deputy Assistant Secretary of Defense for Regional Programs under 39th President of the United States Jimmy Carter as well as posts under Reagan and Bush Snr. This clearly indicates a vast amount of experience within the decision-making group and also a highlights cyclical return to politics nature in our decision-making elites.

Networks between decision makers prior to Bush Administration

Neo-conservative network

A network that was prevalent in our decision-makers was that of the Neo-conservatives, which has a rich history of influence, being aided through corporation-funded think tanks. The importance of this is how it affected and dominated the world-views (and therefore policies) of the 35 selected Bush elite decision-makers. I will give a brief background, and history of the Neo-conservatives, before presenting its sequence link to the Bush administration, and the decision to go to war with Iraq.

Neo-conservative thought in the US originated in the 1960's from a great deal of unrest within the democrat party of the US. Great doubt in the scope and weight of governmental power began to grow effervescent thanks to the following events at the time; the Vietnam war's perceived outcome, the Great Society, urban rioting, campus unrest, Watergate, and inflation.[178] As the solutions and initiative posed by elites (which had good moral intentions) failed, a movement of discontent formed amongst democrats, where reform domestically was called for. The views that society's issues cannot be solved purely through the traditions of passing laws, creating new bureaucracies, and spending billions of dollars, started to gather consensus.[179] Due to the longevity and eternal nature of issues like war, poverty, health-issues, discrimination, lack of employment, inflation, crime, lack of knowledge, pollution and discontent, elites felt that this could not be dealt with through purely public policies.[180] This sparked the rise of major scale governmental programs, aiming to solve such issues through forming a group of individuals labeled as the neoconservatives.

[178] Dye (2002), p.192.
[179] Ibid.
[180] Ibid.

These individuals still held liberal, reformist values, but no longer had confidence in the old liberals of the 60's, and instead geared towards a greater free-market system, and were even more respectful of traditional values and institutions which still included religion, family and community values.[181] Although equality of opportunity remained, absolute equality where the government guaranteed everyone the equal share of everything was criticized, with Lyndon Johnsons 'Great Society' receiving great criticism and in fact being a highlight in the early days of neo-conservatism.[182] Neoconservatives also believed that the US must maintain and develop even stronger defenses, if democracy was to survive in a world that is perceived hostile to US values.[183] The most significant characteristics that defined neoconservatives, included a strong backing of Israel, and a view that deemed the period of détente as submissive reluctance to affirm US values against the perceived evil of communism.[184]

Although the major grievances were with public policy, the neoconservatives started to really play a significant a part in the influence of foreign policy. This growing influence of neoconservative ideas in US politics and foreign policy, is associated with the rise in numbers of rightist think tanks.[185] One of the main think-tanks was called '*Commentary',* and another that was co-founded by Irving Kristol (William Kristol's father - elite decision maker in my study) was called *Public Interest.*[186] So influential and widespread was the reach of neoconservative thought, that a 1979 study on US intellectuals suggested that around one in four of the intellectual elite was a neoconservative.[187] In the personification of this influence, when Nixon took office in 1969, he suggested his cabinet read an article in *Public Interest,* and similarly when Reagan took office in 1981, he appointed Jeane Kirkpatrick due largely to an article she published in the *Commentary*.[188]

A long-lasting neoconservative think-tank is the *American Enterprise Institute* (AEI), in which Richard Perle and Richard Cheney are linked to. The AEI had transformed from the *American Enterprise Association* (AEA). This was incepted in 1938 by a number of big business executives. The mission of AEI is to promote awareness for the social and economic benefits that would be brought to the US people, from a system of free and competitive enterprise (this remains its mission today also).[189] The composition of the board of trustees, is in actual fact a selection of members from US

[181] Ibid.
[182] Parmar, I. (2008) *A neo-conservative-dominated US foreign policy establishment?* In Keneth Christie (ed), United States Foreign Policy and National Identity in the Twenty-First Century Abington and New York; Routledge and Parmar, I. (2009) Foreign policy fusion: liberal interventionists, conservative nationalists and neoconservatives – the new alliance dominating US foreign policy. *International politics 46* (2-3):177 – 209.
[183] Dye (2002), p.192.
[184] Halper, S. (2004) *America Alone: The Neo-Conservatives and the Global Order:* Cambridge: Cambridge University Press, p.41.
[185] Ibid, p.47.
[186] Ibid, p.46.
[187] Ibid.
[188] Ibid.
[189] Apeldoorn, B,V. & Graaff, N,D. (2016) *American grand strategy and corporate elite networks: the open door since the end of the Cold War,* Routledge, Taylor & Francis Group, London, p.155.

transnational and financial capital, meaning major firms such as *Dell Inc, the Carlyle Group, Exxon Mobile*. [190] This again confirms the strong link with corporations and think-tanks, highlighting the methods of spreading ideology, and almost buying public opinion through investments in such policy planning initiatives.

The significance of this brief neoconservative history is that it played a huge part in influencing the creation of a think tank called *Project For New American Century* (PNAC) established in 1997. Seven of our Bush elite Iraq decision-makers were a part of PNAC, with 5 being signatories; Cheney, Khalilzad, Libby, Rumsfeld and Wolfowitz, and one of them being a co-founder that was Irving Kristol's son; William Kristol. PNAC itself has a history of controversy right from the offset, through a series of leaked documents in which its contents became a dominant theme in the Bush administration. Therefore, the history of PNAC has great importance when one seeks to understand the Bush elite, in terms of who they were and where their ideas originated. PNAC signatories Lewis Libby, Zalmay Khalilzad and Paul Wolfowitz drafted a document entitled 'Defense Planning Guidance' (DPG). This was leaked and covered in *The Washington Post* on March the 8th 1992 by Patrick E. Tyler, and covered on *The New York Times* on March 11th 1992 by Barton Gellman. The document when first leaked in February 18th, 1992, made a clear argument for military action, embracing preemptive measures in the era of the new century, and emphasized unilateralism to prevent any other nation rivaling the US regarding reaching superpower status. The draft initially received critique and caused embarrassment for Wolfowitz and co, and hence the redrafting took place, with a change of language. The following extracts are from the DPG February document, which was covered through *The New York Times* and *The Washington Post*.

New York Times DPG publication (note the speech marks indicate extracts taken directly from the DPG) is presented below:

The US "must sufficiently account for the interests of the advanced industrial nations to discourage them from challenging our leadership or seeking to overturn the established political and economic order,"…"convincing potential competitors that they need not aspire to a greater role or pursue a more aggressive posture to protect their legitimate interests." …This new world will see the US needing to "maintain the mechanisms for deterring potential competitors from even aspiring to a larger regional or global role." .."This will enable the United States to continue to contribute to regional security and stability by acting as a balancing force and prevent the emergence of a

[190] Ibid, p.155.

vacuum or a regional hegemon."[191]

The same document is also referred to in *The Washington Post* and contains the following excerpts from the leaked DPG February document;

The aim and goals of the US should be to "establish and protect a new order" that accounts "sufficiently for the interests of the advanced industrial nations to discourage them from challenging our leadership," simultaneous to having a military dominance capable of "deterring potential competitors from even aspiring to a larger regional or global role.".."While the U.S. cannot become the world's 'policeman,' by assuming responsibility for righting every wrong, we will retain the preeminent responsibility for addressing selectively those wrongs which threaten not only our interests, but those of our allies or friends, or which could seriously unsettle international relations,"…"the spread of democratic forms of government and open economic systems." That objective, the document states, "is a dominant consideration underlying the new regional defense strategy and requires that we endeavor to prevent any hostile power from dominating a region whose resources would, under consolidated control, be sufficient to generate global power. These regions include Western Europe, East Asia, the territory of the former Soviet Union and Southwest Asia."[192]

The Iraq Papers also covered the DPG leak on a key inclusion "We will seek to promote those positive trends which serve to support and reinforce our national interests, principally, promotion, establishment, and expansion of democracy and free market institutions worldwide."[193]

The DPG makes it clear that in the eyes of Wolfowitz, Libby and Khalilzad that the US need to be a proactive superpower that asserts its ways and methods in the world. In instances where the US has no support, it should be authorized to act alone. In addition to this it is important that the US secures access to resources in the Middle-East whilst insuring that there is no regional power, or alliances, and the spreading of democracy and free-markets still remains a priority also.
The DPG received great criticism both domestically in the US. and internationally, with the White House and Wolfowitz especially distancing themselves from the document.[194] This effectively led to a diluted version of the DPG later released through Tyler on May 23rd, 1992, which has a complete

[191] Tyler, P. (1992) U.S. Strategy plan calls for insuring no rivals develop. *New York Times.* Available from: http://www.nytimes.com/1992/03/08/world/us-strategy-plan-calls-for-insuring-no-rivals-develop.html?pagewanted=all (Date Accessed 1st March 2017).
[192] Gellman, B. (1992) Keeping the U.S. First. *Washington Post*. Available from: https://www.washingtonpost.com/archive/politics/1992/03/11/keeping-the-us-first/31a774aa-fcd9-45be-8526-ceafc933b938/?utm_term=.3b49b9ac783c (Date Accessed 1st March 2017).
[193] Ehrenberg, J. (2010) *The Iraq Papers.* New York, Oxford, Oxford UP, p.9.
[194] Mann, J. (2004), p.211.

change of language.[195] The document's change of language this time was approved by Cheney, who was Defense Secretary at the time, with the document being more diplomatic and less aggressive on all fronts.[196]

However, what is interesting to note is that the main aims that were projected in the first leaked draft of the February 1992 DPG, ended up in the PNAC *Statement of Principles* in 1997. Although the second DPG of April 1992 was watered down with more diplomatic language, the PNAC statement of principles (presented and analyzed below) could be described as a more direct and even more affirmative version of the February 18th DPG document:

PNAC Statement of Principles:

> *"We aim to make the case and rally support for American global leadership. As the 20th century draws to a close, the United States stands as the world's preeminent power. Having led the West to victory in the Cold War, America faces an opportunity and a challenge: Does the United States have the vision to build upon the achievements of past decades? Does the United States have the resolve to shape a new century favourable to American principles and interests?.. We are in danger of squandering the opportunity and failing the challenge."*[197]

Here it is clear that PNAC has a clear and expressly stated vision for US global leadership for the new century, suggesting any inaction may fail the US in shaping the century towards US interests and principles. The PNAC statement goes on to say;

"We seem to have forgotten the essential elements of the Reagan Administration's success: a military that is strong and ready to meet both present and future challenges; a foreign policy that boldly and purposefully promotes American principles abroad; and national leadership that accepts the United States' global responsibilities. Of course, the United States must be prudent in how it exercises its power. But we cannot safely avoid the responsibilities of global leadership or the costs that are associated with its exercise.

The history of the 20th century should have taught us that it is important to shape circumstances before crises emerge, and to meet threats before they become dire. The history of this century should have taught us to embrace the cause of American leadership."

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[195] Tyler, P. (1992) Pentagon drops goal of blocking new superpowers. *New York Times*. Available from: http://www.nytimes.com/1992/05/24/world/pentagon-drops-goal-of-blocking-new-superpowers.html?pagewanted=all (Date Accessed 1st March 2017).
[196] Ibid.
[197] PNAC (1997).

Here the pre-emptive means are affirmed, using the last century's history as a justification. Global leadership is seen as a responsibility that the US should internalise in the eyes of PNAC, making it clear that proactivity through a dominant military should be the way for the US to reach its goals. The statement further states;

"• We need to increase defence spending significantly if we are to carry out our global responsibilities today and modernize our armed forces for the future;

• We need to strengthen our ties to democratic allies and to challenge regimes hostile to our interests and values;
• We need to promote the cause of political and economic freedom abroad;
• We need to accept responsibility for America's unique role in preserving and extending an international order friendly to our security, our prosperity, and our principles. "

Here the defence spending recommendation illustrates intent for a strong military, in the face of the US achieving its global leadership aims. In addition, the responsibility to act is yet again affirmed and internalised, with regards to creating a US friendly world, where political liberty through democracy and economic freedom is promoted.

Khalilzad, Kristol, Perle, Rumsfeld and Wolfowitz in 1998 directly affirmed their unified intentions, in a letter they signed on behalf of PNAC, which urged President Clinton to act immediately as "policy in Iraq is not succeeding," and that if the US continues with the same policy, then "American troops in the region, of our friends and allies like Israel and the moderate Arab states, and a significant portion of the world's supply of oil will all be put at hazard."[198] The letter clearly shows the intent for invasion in Iraq from PNAC members, which coincidently remain unified in the belief that interests such as oil in the Gulf, need to be secured. Taking this back to the DPG relevance in this context, William Kristol (co-founder of PNAC and Iraq war advocate) indicated in 2003, that it was the visionary and prescient Wolfowitz who had been behind the DPG, describing him as farsighted with the ideas that were to become almost prophetic.[199]

"Wolfowitz saw very early that the fundamental choice was American leadership, or increasing chaos and danger… It really wasn't until 9/11 that Wolfowitz's paper (DPG) -- which by that time was, what, nine years old -- came to be seen as perhaps prophetic."

[198] PNAC (1998).
[199] Kristol, W. (2003) PBS Interviews –The war behind closed doors. *PBS*. Available from: http://www.pbs.org/wgbh/pages/frontline/shows/iraq/interviews/kristol.html (Date Accessed 1st March 2017).

The above-mentioned points provide evidence that the DPG 1992 paper, took a long journey through the PNAC principles, all the way through to the Bush administration. The DPG and PNAC made it evident that a unity of values, views and ambitions regarding the position of the US globally existed between Wolfowitz, Libby, Khalilzad, Kristol, Rumsfeld, Perle and Cheney. This was evidenced through their group participation in the three different, but connected and inter-dependent initiatives in the form of the DPG, PNAC, and the letter to president Clinton. This illustrates that there is a consensus of sorts, or a shared world view or common interest, especially given the central think tank connections name 'Project for New American Century,' which also speaks volumes for its directed ambition. It is important to now measure the extent in which the narratives and aims of PNAC are present in the discourse of the decision makers. I will now examine what the views of the Bush elite decision-makers were by their own admission, through their publications, statements, memoirs and interviews.

World-views of the Bush 35 elite

I will now examine the world-views of my selected decision-makers from the Bush cabinet. I have categorised them into the following themes, where they held common world-views: Faith, American Christianity, Orientalism, spreading freedom, democracy promotion, US primacy, and regime change in Iraq.

Christianity, American Christianity and Faith

Faith in God

Faith is a dominant part of the Bush administration, as already mentioned above; the White House is filled with individuals who have firm faith commitments.[200] Rice makes it clear that she has strong faith in stating "I have a very, very powerful faith in God, I'm a really religious person"[201] and that her position in life is guided and planned by God; "I know that whatever is ahead for me, the reason that I can be as excited as I am, really with very little trepidation, is [because I] believe that it was God's plan for me to be where I am today and that God has a plan for me to be someplace in the future."[202] Bush similarly states in terms of religion that his "relationship with God through Christ has given me meaning and direction" and "my faith has made a big difference in my personal life and my public life as well."[203] In terms of the effect of faith and the impact on decision making or

[200] Smith (2006), Chapter 11, p.1. and also see Marsden, L. (2008) *For god's sake: The Christian right and US foreign policy*. London: Zed.
[201] Nordlinger, J. (2004).
[202] Ibid and Montgomery (2007).
[203] Smith (2006), Chapter 11, p.7.

views of the world Bush states "I don't see how you can separate your faith as a person from the job of being president."[204] When asked who the most influential philosopher was on his life, Bush replied "Jesus Christ."[205]

Divine America and American Christianity

Bush declares that "our nation is chosen by God and commissioned by history to be a model to the world of justice and inclusion and diversity without division." [206] This is somewhat divine and all Americans according to Bush must *"remember our calling as a blessed country is to make the world better."*[207] The US seems to be perceived as some sort of instrument that is to be used by God to better this world as Bush states that "freedom is not Americas gift to the world" but "it is God's gift to humanity"[208] and advancing this freedom is "the calling of our country."[209] Rumsfeld, in affirming and agreeing with Bush's views stated that *"Bush often expressed his belief that freedom was the gift of the Almighty. He seemed to feel almost duty-bound to help expand the frontiers of freedom in the Middle East. I certainly sympathized with his desire to see free systems of government spread around the globe."*[210]

Orientalism

"Every single empire in its official discourse has said that it is not like all the others, that its circumstances are special, that it has a mission to enlighten, civilize, bring order and democracy, and that it uses force only as a last resort. And, sadder still, there always is a chorus of willing intellectuals to say calming words about benign or altruistic empires, as if one shouldn't trust the evidence of one's eyes watching the destruction and the misery and death brought by the latest mission civilizatrice."-

Edward Said, Orientalism.[211]

There is an evident theme and tone of orientalist thought and views in and amongst the Bush elite decision makers. As previously examined in this study (Chapter 1), Orientalism is the excessive, distorted and magnified over-emphasis of the difference between the oriental East and the occidental West. This tends to include a great deal of cliché in describing and emphasizing the

[204] Ibid, p.1.
[205] Lind, M. (2003), p.109.
[206] Bush, G, W. (2000) Speech at B'nai B'rith Convention - August 28, 2000 *The White House Washington* Available from: http://whitehouse.georgewbush.org/news/2000/010023-SOTU.asp (Date accessed 1st March 2017).
[207] Bush, G, W. (2003) State of Union Address – January 28, 2003 *The White House Washington* Available from: http://whitehouse.georgewbush.org/news/2003/012803-SOTU.asp (Date accessed 1st March 2017).
[208] Ibid.
[209] Bush, G, W. (2003) President Bush Discusses Freedom In Iraq and Middle East at the National Endowment for Democracy. November 6, 2003 *The White House Washington* Available from: https://georgewbush-whitehouse.archives.gov/news/releases/2003/11/20031106-2.html (Date accessed 1st March 2017).
[210] Rumsfeld, D. (2011) *Known and Unknown: A Memoir.* Penguin Publishing Group, p.499.
[211] Said, E, W. (2003) *Orientalism*, edn. Penguin, London, p.xvi.

differences of the oriental world to create justifications (self-serving) for the colonial and imperial ambitions of the West in the East. One of the highlighted justifications is a view that the West is superior to the East and therefore this justifies the imposition of western ways on the Oriental East.[212] Historically the case has been so subjective that mainstream western studies of the East have aimed to affirm western values as being superior without an understanding of eastern ways. The concluded stereotypical and mainstream view of the Middle-East has described Arabs as Terrorists and oil-suppliers. Said's view in *'Orientalism'* is that the divide has malignant intentions which are evident to see. In references to the East in comparative ways, the western world will be portrayed in a superior or normalized way in contrast to the 'oriental other' which is more benign, advanced and righteous, which insinuates that the Orient needs assistance from the occident.[213] In the case of the Bush administration and their orientalist views, the rhetoric has developed to include new phenomenon.

Significance of Oriental discourse in intervention

Orientalism remains an incredibly effective tool in framing interventions that take place under the rhetoric of development and advancement, this then contributes to providing justifications for such interventions.[214] In the process any hegemonic or imperial action by the Occident is justified through a prior portrayal of the Orient in being primitive and in need of intervention. This is one of the ways that 'subaltern classes' are subordinated by initiatives of the dominant class as explained by Gramsci earlier in this thesis (Chapter 1) and can indeed rebel through counter-hegemonic practices. In relation to my thesis, and in the context of modern globalization, post-colonial theory provides an insight into how corporations, states, elites and individuals work hand in hand to accelerate and implement the ideologies of neo-liberalization.[215]

Said employed Foucault's notion of discourse as described in the Archaeology of Knowledge and in Discipline and Punish[216] to identify Orientalism.[217] Foucault made it clear that *"in every society the production of discourse is at once controlled, selected, organised and redistributed by a...number of procedures"*[218] It must be noted that discursive rules influence the exercise of power, therefore discourse itself is both constituted by, and guarantees the reproduction of the social system, which is achieved through selection, exclusion and domination in discourse.[219] Said stated that '*without*

[212] Ibid.
[213] Ibid.
[214] Dutta, M. (2011) *Communicating Social Change: Structure, Culture, Agency.* New York, Routledge.
[215] Ibid.
[216] Foucault, M. (1972) The Archaeology of Knowledge, London, Tavistock, and Foucault, M. (1977). *Discipline and punish*. New York: Pantheon Books.
[217] Said, E, W. (2003), p.3.
[218] Young, R. (1981) Untying the text: a post0structural anthology. Boston, Routledge and Kegan Paul, p.52.
[219] Ibid.

examining Orientalism as a discourse one cannot possible understand the enormously systematic discipline by which European culture was able to manage – and even produce – the Orient politically, sociologically, militarily, ideologically, scientifically, and imaginatively during the post-Enlightenment period. Moreover, so authoritative a position did Orientalism have that I believe no one writing, thinking, or acting on the Orient could do so without taking account of the limitations on thought and action imposed by Orientalism.[220]

Since Said's study, scholars such as Dirlik argued that global capitalism has the tendency to manipulate the local interests for the global interests, with a strong emphasis on the influence of Orientalism in justifying the process.[221] Jackson is another scholar who since Said examined the use of Orientalism by deconstructing the discourse used in the 'War on Terror' and identifying how the intervention was justified through a strong theme of 'framing' and 'othering'.[222] To justify the intervention, the 'evil terrorist' verses the 'good Americans' narrative was consistently used to justify the 2001 invasion of Afghanistan.

The impact of othering: impact on the mindset of the elite

Jackson established that in order for the enactment of a large-scale project of political violence (e.g. war or counter terrorism), a significant degree of political and social consensus is required, and this is only achievable through a particular use of language. In situations where governments must commit huge amounts of public resources and risk the lives of citizens in a military conflict, society has to be convinced that such undertakings are necessary, desirable and achievable.[223] Governments must therefore make it reasonable and unquestionable so public consensus does not break down otherwise the conflict will become difficult to sustain (e.g. the Vietnam War). Jackson states that inducing consent through the normalizing of war requires more than propaganda, it requires a whole new language or public narrative to be constructed. This language or public narrative not only manufactures approval, it also suppresses individual doubts and the potential for wider protests politically.[224] It requires the creation and remake of a new unquestioned reality where state violence is deemed normal and reasonable; otherwise counter-terrorism and war procedures are not possible. Jackson identifies four crucial layers of language that amplify the central meanings, perceptions, assumptions and knowledge of the war and counter-terrorism campaigns.

[220] Said, E, W. (2003), p.3.
[221] Dirlik, A. (1995). Confucius in the Borderlands: Global Capitalism and the Reinvention of Confucianism. *Boundary 2*, *22*(3), 229–273.
[222] Jackson, R. (2005) *Writing the war on terrorism : Language, politics and counter-terrorism* (New approaches to conflict analysis). Manchester: Manchester University Press.
[223] Ibid, p.1.
[224] Ibid.

The first layer is the most noteworthy because it determines the core principles and assumptions, in the process it hints at the actions and approaches that will be taken in a narrative that is made for public understanding of the issues at hand.[225] This language is found in speeches and public addresses on television. The second layer of language occurs as a result of the first, where new laws are written and passed through legislators, statements and documents about national strategy and policy form official reports that are researched and submitted to congress or other areas of government.[226] These reports and documents are based on the assumptions, perceptions and understandings set by senior officials in the first layer of language, for example the words of Bush and Cheney eventually influence documents and laws.[227] The third layer is the most broad, including official websites, emails, letters, operation manuals, rules, operation procedures, interdepartmental memos, , internal reports and documents.[228] Therefore, this includes the language articulated by the Homeland Security, the Pentagon, the CIA and the FBI for example. The fourth layer is the final layer and includes symbols, logo's colour schemes, emblems and images that are used to reproduce and amplify the central meanings and assumptions of knowledge regarding the counter-terrorism war and campaign.[229]

The layers of language contribute towards a particular discourse, this will be analyzed in this chapter as part of the method established in the previous chapter (Chapter 2).

The presence of othering and framing

When referring to those who committed the attacks on September 11th, Bush seemingly enlarged the perpetrators to be a bigger unit, like a group or nation that is against civilization; *"throughout the world, people value their families – and nowhere do civilized people rejoice in the murder of children or the creation of orphans. By their cruelty, the terrorists have chosen to live on the hunted margin of mankind. By their hatred, they have divorced themselves from the values that define civilization.'*[230] Here Bush is referring to the war in Afghanistan when describing terrorists, who have distinguished themselves from the rest of humanity and civilization. Bush makes the fight so big that it is the "*fight to save the civilized world*".[231] Affirming that he was referring to Afghanistan and its regime, two years later Bush states; *"In the battle of Afghanistan, we destroyed one of the most*

[225] Ibid, p.17.
[226] Ibid.
[227] Ibid.
[228] Ibid.
[229] Ibid, p.18.
[230] Bush, G, W. (2001) Address Before a Joint Session of the Congress on the United States Response to the Terrorist Attacks of September 11 – October 20, 2001 *The American Presidency Project* Available from http://www.presidency.ucsb.edu/ws/?pid=64731 (Date accessed 1st March 2017).
[231] Ibid.

barbaric regimes in the history of mankind. A regime so barbaric, they would not allow young girls to go to school. A regime so barbaric, they were willing to house Al Qaeda."[232] It is clear that the contrast is made between the advanced, moral and civilized world with the 'barbaric' and 'terrorist' harboring east, here the stereotypes and historic narratives of orientalism are present when describing the middle-east and in particular Afghanistan.

The divide is further affirmed when the rhetoric starts to implement more uses of the 'us versus them' language. Bush declares in a speech:

"why do they hate us?… They hate what they see right here in this chamber: a democratically elected government. Their leaders are self-appointed. They hate our freedoms: our freedom of religion, our freedom of speech, our freedom to vote and assemble and disagree with each other." "We have seen their kind before. They're the heirs of all the murderous ideologies of the 20th century. By sacrificing human life to serve their radical visions, by abandoning every value except the will to power, they follow in the path of fascism, Nazism and totalitarianism. And they will follow that path all the way to where it ends in history's unmarked grave of discarded lies."[233]

Although in concurrence regarding the differences, Rice in using the term 'them' provides an understanding of the views that the East holds regarding the West through context: *"the Muslim world, possessed little of the affection for the United States that was so deeply held by the anti-Communist population of the Soviet bloc. …The problem was, our policies had rarely been popular with them, long before George W. Bush came to office. For many in the Arab world, the United States was associated with authoritarian regimes – not freedom, as in Eastern Europe."*[234]

However, Bush compares the US by using the term 'we':
"*They can't stand what America stands for. It must bother them greatly to know we're such a free and wonderful place, a place where all religions can flourish, a place where women are free, a place where children can be educated. It must grate on them greatly. But that's what we're going to keep doing, because that's what America is about."*[235]

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[232] Bush, G, W. (2003) President Discusses National, Economic Security in California – May 2, 2003 Available from: https://georgewbush-whitehouse.archives.gov/news/releases/2003/05/images/20030502-7_d050203-1-770v.html *The White House Washington* (Date accessed 1st March 2017).
[233] Bush, G, W. (2001) President Bush's address to a joint session of Congress - 20th September 2001 *CNN* Available from: http://edition.cnn.com/2001/US/09/20/gen.bush.transcript/ (Date accessed 1st March 2017).
[234] Rice, C. (2011) *No Higher Honour: a Memoir of My Years in Washington*, Simon & Schuster, London, p.307.
[235] Bush, G, W. (2001) President Says U.S. Attorneys on front line in War - November 29, 2001 *The White House Washington* Available from: https://georgewbush-whitehouse.archives.gov/news/releases/2001/11/ (Date accessed 1st March 2017).

The directly presented above quotes illustrate that the contrast is made by Bush and Rice that there is a clear 'us versus them' divide and that 'they' are evil and imprisoning and they punish women and children whereas 'we' (US) are 'good' and 'free' making it clear that there is a perceived divide and orientalist viewpoint in the administration when looking at the east.

The distinguishing continues to expand to 'love and hate' where Bush states "They hate us because of what we love."[236] In speeches, Bush also extends the language to include hatred and madness; *"the depth of their hatred is equaled by the madness of the destruction they design."*[237] Bush declares *"the terrorists are traitors to their own faith."*[238] Powell, in the same year affirmed similar views *"they believe in no faith. They have adherence to no religion."*[239]

In contrast, the US population is characterized by Bush as *"our fellow Americans are generous and kind, resourceful and brave. We see our national character in rescuers working past exhaustion… we have seen our national character in eloquent acts of sacrifice… Americans showed a deep commitment to one another, and an abiding love for our country."*[240] A month after this speech on the US, Bush states; *"This great nation, a freedom-loving nation, a compassionate nation a nation that understands the values of life"*[241] The term 'peaceful' also comes into the arsenal as Bush states "we are a peaceful nation,"[242] Rumsfeld refers to the US as 'innocent,' "thousands of innocent Americans that were killed by the terrorists."[243] Bush in his declaration of war makes it clear that "either you are with us, or you are with the terrorists."[244] Bush also affirms "this will be a monumental struggle of good versus evil, but good will prevail."[245]

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[236] Bush, G, W. (2002) Message to the Congress of the US – November 25, 2002 *The White House Washington* Available from: https://georgewbush-whitehouse.archives.gov/news/releases/2002/11/ (Date accessed 1st March 2017).
[237] Bush, G, W. (2002) President Delivers State of the Union Address – January 29, 2002 *The White House Washington* Available from: https://georgewbush-whitehouse.archives.gov/news/releases/2002/01/20020129-11.html (Date accessed 1st March 2017).
[238] Bush, G, W. (2001) President Declares "Freedom at War with Fear" – September 20, 2001 *The White House Washington* Available from: https://georgewbush-whitehouse.archives.gov/news/releases/2001/09/ (Date accessed 1st March 2017).
[239] Bush, G, W. (2001) President Bush and Russian President Putin Discuss Progress - October 21, 2001 *The White House Washington* Available from: https://georgewbush-whitehouse.archives.gov/news/releases/2001/10/ (Date accessed 1st March 2017).
[240] Bush, G, W. Bush (2001) President Bush Salutes Heroes in New York - September 14, 2001 *The White House Washington* Available from: https://georgewbush-whitehouse.archives.gov/news/releases/2001/09/ (Date accessed 1st March 2017).
[241] Bush, G, W. (2001) President Announces "America's Fund for Afghan Children - October 11, 2001 *The White House Washington* Available from: https://georgewbush-whitehouse.archives.gov/news/releases/2001/10/ (Date accessed 1st March 2017).
[242] Bush, G, W. (2001) Presidential Address to the Nation - October 7, 2001 *The White House Washington* Available from: https://georgewbush-whitehouse.archives.gov/news/releases/2001/10/ (Date accessed 1st March 2017).
[243] Rumsfeld, D. (2001) Defense Secretary Rumsfeld Gives Center Award to Former Defense Secretary James Schlesinger remarks - November 6, 2001 *Center for Security Policy* Available from: *http://www.defenselink.mil/speeches/2001/s20011106-secdef.html* (Date accessed 1st March 2017).
[244] Bush, G, W. (September 20, 2001).
[245] Bush, G, W. (2001) President Bush Meets with National Security Team - September 12, 2001 *The White House Washington* Available from: https://georgewbush-whitehouse.archives.gov/news/releases/2001/09/ (Date accessed 1st March 2017).

The contrast of the East and West through western lenses is meticulously exercised by the Bush elite decision makers, and it is clear that orientalism is present in their world views indicating hidden and ulterior motives. The fact that the views are distinguished in a 'good versus evil' context also indicates the presence of the religion and faith in the administration and its members, particularly the faith of Bush and Rice who seems to indicate a clear religion based framework that looks at the US as divine and the rest of the world as the opposite. This clear distinction between what these elite decision makers deem as good or evil indicates their ingrained thoughts towards the middle east may be polluted with stereotypes and incorrect narratives which most definitely has the potential to negatively influence their decision making. The vilification and dehumanization especially by Bush, plays a huge role in selling the war and justifying all decisions by the US (see previous chapters).

Origins of Orientalism in the Bush Administration

David Frum, who was one of Bush's speechwriters, stated that the White House staffers disagreed about how to frame the 'enemy' after the terror attacks of 2001.[246] One particular faction in the White House, believed that the US should launch a campaign, aimed at educating Muslims about the virtues of the US. However, a faction led by Karl Rove believed that soul-searching over "*why Muslims hate us"* was inappropriate.[247] Rove summoned Bernard Lewis, a historian on Islam and the Middle-East, to address the White House staffers. After Lewis propagated that it was Islam that had failed, and not the west, he held meetings with Condoleezza Rice.[248] This eventually led to George W. Bush being seen by Frum, holding articles by Lewis. Lewis in an article from 1990, circulated that the Islamic world had hated the West for centuries, since 1683, when the Ottoman Empire failed to sack Christian Vienna.[249] Lewis declared that the Islamic world views the US as infidels, and will never accept their dominant existence.[250] Lewis also added that what the West labelled the 'war on terror', to the Muslim world is a 'holy war'.[251]

The suggestions made by Lewis to US policy makers, have been referred to as the "Lewis' Doctrine" and has been categorized into the following:

"1. Political and cultural fragmentation of all Muslim countries along the ethnic, national, racial, tribal, religious and linguistic lines;

[246] Anon (2004) D2. Wall Street Journal, "Bernard Lewis's Blueprint: Sowing Arab Democracy," 3 February 2004. *Journal of Palestine Studies*, 33(3), pp.182–185, p.183.
[247] Ibid.
[248] Ibid.
[249] Lewis, B. (1990) The roots of Muslim rage: why so many Muslims deeply resent the West, and why their bitterness will not easily be mollified. *The Atlantic*, 266(3), p.47.
[250] Lewis, B. (2003) *The crisis of Islam: holy war and unholy terror*, London: Weidenfeld & Nicolson.
[251] Ibid.

2. Proxy wars, air-strikes, 'pre-emptive' bombings, economic embargoes;

3. Scholarship and financial support for the feminists, militant secularists and opponents of the Islamic Revivalism in the Muslim world;

4. Demilitarization, disarmament and de-industrialization of the Muslim states;

5. Security and supremacy of the Jewish state in Palestine;

6. Covert operations in the Muslim countries (assassinations of the prominent leaders of the Islamic movements, establishment of the phony "Islamic" militant groups and anti-Islamic militias, psychological war, brain-washing, disinformation, etc.)."[252]

Lewis, although researching in the name of science, was deemed to be abusing or mis-using this knowledge, to present a negative and tainted image of Islam.[253] Edward Said denounced the work of Lewis, criticizing his work as "the most criticized of the scandals of so-called scholarship" in the West.[254] Said believes that although Lewis attempts to be an objective liberal scholar, his work is more along the lines of propaganda. Said states that Lewis produced work with little substance behind his claims, for example failing to provide evidence for claims he made regarding Islam being anti-Semitic. Said even references that Lewis attempts to instill fear towards Muslims through referring to Islam as an "irrational herd or mass phenomenon," with Muslims "ruling by passions, instincts, and unreflecting hatreds."[255]

However, Lewis still had US policy makers praising, and supporting both him and his ideas. Richard Cheney, in an interview with '*meet the press'* had said that he agreed with men like Lewis, in calling for a firm response to the Islamic part of the world.[256] Richard Perle, who is a huge supporter of Lewis, stated: *"Bernard Lewis has been the single most important intellectual influence countering the conventional wisdom and managing the conflict between radical Islam and the West."*[257] Perle also stated that when it concerns the Middle East and Islam *"Bernard Lewis is our greatest scholar on the matters. If you could read only one man, read Lewis."*[258] Paul Wolfowitz affirmed that Lewis had *"taught how to understand the complex and important history of the Middle East".*[259] In 2002, Lewis released a book[260], where he favored intervention in Iraq as being the first step towards

[252] Kopanski, A, B. (2000) "Orientalism Revisited: Bernard Lewis's School of Political Islamography" *Intellectual Discourse*, vol. 8, no. 2.
[253] Ibid, p.136.
[254] Said, E, W. (2003), p.316.
[255] Ibid, p.317.
[256] Anon (2004), p.183.
[257] Ibid, p.184.
[258] Perle, R. (2007) PBS Documentary - The Case For War: In Defense of Freedom. PBS Available from: http://www.washingtonpost.com/wp-dyn/content/discussion/2007/04/06/DI2007040601624.html??noredirect=on (Date Accessed 1st September 2018).
[259] Anon (2004), p.185.
[260] Lewis, B. (2003) *What went wrong : the clash between Islam and modernity in the Middle East* 1st Perennial., New York: Perennial.

democracy in the Middle East. Therefore, it will be decisive to investigate how the role of Orientalist thought influenced decision-making in the Iraq War.

Orientalism is fundamental – it justifies the unjustifiable in terms of force

There are two major reasons why orientalism in the views and perspectives of the decision makers is crucial to acknowledge. The first reason is that orientalism and its demonizing effects, can lead to the normalization of any and every action of force needed to counter the constructed 'evil' that has been identified, as Jackson states clearly in his work.[261] This ultimately also leads to a consensus politically and socially through the use of language.[262] Jackson highlighted that this discourse was neither objective nor a neutral reflection of reality, and that it also was not accidental or incidental.[263] Instead Jackson states, it is a deliberate and meticulous composition of words, assumptions, metaphors, myths and even knowledge that becomes discourse that is designed to achieve certain political outcomes.[264] These goals are to legitimatize and normalize the approaches and decisions made in the war and occupation, firstly within the US, and secondly, the rest of the world. In the process, false realities are created to justify or create a need for intervention, making the intentions of the intervention seem well-intended. The second reason is that decision makers who hold such views may potentially use the justifications when making decisions personally. For example, a decision maker who holds such thoughts that Iraqis are barbaric, backwards, evil and out to cause damage to them and the world, could influence and create a culture where anything and everything is justified, regardless of human rights and international laws. This idea that all force is justified creates an ethos of normalization regarding disproportionate force being used, creating a situation of minimal accountability. Hence, it is fundamental that actions that are inspired from orientalist thought are examined in the war, to see if and how this manifested. Regardless of the nature of US imperial power, the fact that such views of the orient exist could mean that there is a minimal duty of care in the approach of the US. How this eventually manifests could prove detrimental to subjects, in this case the Iraqi people.

The influence of orientalism in decision-making is evident in the next three chapters of my study. Chapter 5 of my study specifically highlights the gross types of misconduct that occurred in Iraq, these misconducts could be traced back to perspectives of Orientalism. Chapter 5 in particular, will

[261] Jackson, R. (2005) *Writing the war on terrorism : Language, politics and counter-terrorism* (New approaches to conflict analysis). Manchester: Manchester University Press, p.1.
[262] Ibid, p.2.
[263] Ibid.
[264] Ibid.

show how Orientalism has manifested itself from the outset of the bombing campaign, and then influenced the decision-makers in the occupation stage.

Spreading Freedom

US Power : US Duty to spread freedom and lead

The spread of freedom, and this being a US purpose in the world, has a consensus throughout my selected Bush elite.

Stating that the US does not decide to promote political freedom, but that this is more a destiny for the US, Bush states *"America, by decision and destiny, promotes political freedom."*[265] Bush affirms *"If our country does not lead the course for freedom, it will not be led.. America remains engaged in the world by history and by choice, shaping a balance of power that favors freedom."*[266] *"This great country will lead the world to safety, security, peace and freedom."*[267] Bush finally adds that the US must *"remember our calling as a blessed country is to make the world better."*[268] The role the US plays in promoting freedom therefore, is not a choice. It is portrayed as a divine fate for America, who is destined to lead in spreading this freedom. Rice also affirms this, and refers to this as a duty by stating *"we have a responsibility to build a world that is not only safer, but better. That has always been the American way: the American flag has stood for power and the American flag has stood for freedom."*[269] Rice makes it clear that this responsibility has always existed and has almost been bestowed upon the US in standing powerfully towards leading the course for freedom. Powell also declares: "*I became a Republican because I believe America must remain the leader of the free world."*[270] It is clear therefore, that the role of spreading freedom is clearly deemed as an embraced responsibility, with the ingrained belief that the US should, and must be the leader in this free world. But then what do the elites define freedom as?

Defining Freedom

[265] Bush, G, W. (1999) A Distinctly American Internationalism, Ronald Reagan Presidential Library, Simi Valley, California. – November 19, 1999 Available from: https://www.mtholyoke.edu/acad/intrel/bush/wspeech.htm (Date Accessed 1st March 2017).
[266] Bush, G, W. (2001) Inaugural Address - January 20, 2001. *Miller Center* Available from: https://millercenter.org/the-presidency/presidential-speeches/january-20-2001-first-inaugural-address (Date Accessed 1st March 2017).
[267] Bush, G, W. (2002) Address to the Nation on the Department of Homeland security - June 6, 2002 *Miller Center* Available from: https://millercenter.org/the-presidency/presidential-speeches/june-7-2002-address-nation-department-homeland-security (Date Accessed 1st March 2017).
[268] Bush, G, W. (2003) State of Union Address - January 28, 2003. *The White House Washington* Available from: http://whitehouse.georgewbush.org/news/2003/012803-SOTU.asp (Date accessed 1st March 2017).
[269] Rice, C. (2002) Wriston lecture on national security. *American Rhetoric* Available from: http://www.americanrhetoric.com/speeches/condoleezzaricewristonlecture.htm (Date Accessed 1st March 2017).
[270] Powell, C. (1996) Speech at Republican National Convention. - August 12, 1996 *ABC NEWS* Available from: http://abcnews.go.com/Politics/story?id=123285&page=1 (Date Accessed 1st March 2017).

Establishing what the Bush elite worldview is on freedom and what it means when they state it will spread or bring freedom is crucial when later looking at the decisions of the elites in Iraq. Bush states;

"Our world, shaped by American courage, power and wisdom, now echoes with American ideals. We won a victory, not just for a nation, but for a vision. A vision of freedom and individual dignity – defended by democracy, nurtured by free markets, spread by information technology, carried to the world by free trade. The advance of freedom – from Asia to Latin America to East and Central Europe – is creating the conditions for peace."[271] *(*Bush September 23 1999)

Here Bush makes it clear that his perceived definition of freedom contains a link between freedom, democracy, free-markets, and free trade. When talking about political freedom Bush elaborates that the US;

"Gains the most when democracy advances. America believes in free markets and free trade – and benefits most when markets are opened. America is a peaceful power – and gains the greatest dividend from democratic stability…Yet the basic principles of human freedom and dignity are universal. People should be able to say what they think. Worship as they wish. Elect those who govern them…I view free trade as an important ally in what Ronald Reagan called "a forward strategy for freedom." The case for trade is not just monetary, but moral. Economic freedom creates habits of liberty. And habits of liberty create expectations of democracy. There are no guarantees, but there are good examples, from Chile to Taiwan. Trade freely with China, and time is on our side.[272]

Bush makes it clear that in order for freedom to advance, economic freedom is a fundamental foundation, and plays a huge role along with political freedom. However, the issue here for most may be the lack of elaboration. There is a lack of clarity in explaining further what these freedoms are, and the ambiguity it brings in equating the concepts together. Coupling or joining the definition of freedom with numerous other concepts such as dignity, free trade, free markets, and liberty can be problematic as each concept is separate (though related), and has its own branches and definitions. However, this still indicates the US definition includes all of the above.

[271] Bush, G, W. (1999).
[272] Ibid.

Baker who advised Bush, elaborates and affirms the interconnected nature of freedom with economic and political freedom;

"economic progress depended on freedom in the workplace and freedom to own property — and that such freedoms in turn depended upon a government responsive to the people. Dogmas, attempting to eliminate the entrepreneurial spirit while commanding the production of wealth, produced neither bread nor freedom.
We must, therefore, build up the economic and security aspects of the new democracies even as the political base is put into place."[273] *(Baker 1990)*

Clearly the bundling of freedom with economic and political means, with the generic use of freedom is problematic, but a picture is painted nonetheless. The US favors a freedom that involves the market being free, with political freedom in electing decision makers. This is then believed to lead to economic freedom, which also seems to equate to economic prosperity, which is the stated incentive of economic freedom.

Democracy definition and promotion

A regular theme mentioned above is the concept of democracy promotion, so therefore one must understand specifically what the US means by the term democracy. Where others had not defined Democracy in our elite decision makers, Baker provided a definition:
"Unlike many other forms of government, democracy does not rely on a onetime grant of consent. Consent is reaffirmed through regular, fair, and free elections — the "ticket" for the democratic journey. A democratic society also is characterized by the rule of law and by tolerance of diversity, a tolerance that protects individual rights from abuse, whether from an arbitrary minority or a tyrannical majority. Majority rule must uphold minority rights...The political geometry of successful democracy should teach us that a free society must be upheld by economic progress and basic security. War and poverty are the great opponents of democratic rules, democratic tolerance, and individual rights."[274]

The definition of democracy here, still connects the concept to economic progress. However, Baker elaborates to include political consent through regular fair elections.

[273] Baker, J. (1990) Democracy and Foreign Policy. *The Patriot Post* Available from: https://patriotpost.us/documents/266 (Date Accessed 1st March 2017).
[274] Ibid.

Democracy when defined by Baker above, seems to be linked inextricably with free markets, almost hinting that by the spread of democracy, the US means free market democracy: *"It would seem to be common sense for the United States to lead alliances of free market democracies in Asia, Europe and the Americas in support of democracy and economic liberty."*[275] Along with grouping free markets and democracy in the term 'free market democracy.' Baker also upholds the view that the US should lead the alliance in the spread of the concept. Baker hints that, if there is a choice, then the US is chosen, as it seems "common sense" for them to lead.

Democratization of the Middle-East

Perle Specifically provides a definition for what democracy promotion would look like in the Middle-East *"In the Middle East, democratization does not mean calling immediate elections and then living with whatever happens next. That was tried in Algeria in 1995, and it would have brought the Islamic extremists to power as the only available alternative to the corrupt status quo. Democratization means opening political spaces in which Middle Eastern people can express concrete grievances in ways that bring action to improve their lives. It means creating representative institutions that protect minorities and women in a part of the world where minorities and women very much need protections. It means deregulating the economy to create economic opportunities and also to reduce the governments control over people's livelihoods. It means shrinking and reforming the Middle Eastern public sector so that it functions honestly and responsively. It means perhaps above all establishing schools that prepare young people for the world of today, not the world of 1,300 years ago… A big job. The good news is we've done it before – in Western Europe, in East Asia, and in Central America.'*[276] This definition is consistent with the democracy promotion of the US in the last century, and also provides a more realistic expectation of what type of democracy will be promoted in Iraq.

In a more realistic and considerate understanding, Feith makes it clear that *"not all countries are equally ready for democratic reforms. Democracy requires certain building blocks to be in place: legal or political institutions, including an independent judiciary, a free press, and multiple centers of power that can check and balance one another; and cultural institutions, such as the habits of resolving disputes through compromise and of accepting decisions by majority vote.. not every society has the institutions necessary for democracy to thrive: the rule of law, limits on the power of the state, respect for women, private property, free speech, equal justice, and religious*

[275] Ibid.
[276] Frum, D. & Perle, R, N. (2003) *An end to evil: how to win the war on terror*, Random House, New York, pp162-163.

tolerance." [277]

Here Feith acknowledges and accepts that democracy comes with a challenge and is less accepting of the argument that it can easily be achieved because it has been done before. In his pessimism regarding the achievability of democracy, Feith provides an understanding of what democracy means in the eyes of the US, which is similar to Baker and Perle.

Lack of clarity regarding US democracy promotion in the specific context of Iraq.

William Kristol made it clear that '*achieving liberal democracy in Iraq is a principal objective of the Bush administration's campaign against Saddam*.'[278] However, before the war, what the US meant by democracy in Iraq was left broad and to an extent ambiguous, this was evident in the fact that there was little mention of the definition of democracy specifically for Iraq. Rumsfeld summed up the lack of a definition and the use of the 'spreading democracy notion in stating *'I wondered as well how we would define democracy if that became our goal. If Iraq never created an American-style system of government, would that mean our mission had been a failure or that that troops would have to stay indefinitely? Emphasis on Iraqi democracy invited critics of the war to find the innumerable instances in which Iraq would inevitable fall short…. It was hard to know exactly where the President's far-reaching language about democracy originated… I didn't hear rhetoric about democracy from Colin Powell or State Department officials. I know it did not come from those of us in the Department of Defense. Condoleezza Rice seemed to be the one top adviser who spoke that way, but it was not clear to me whether she was encouraging the President to use rhetoric about democracy or whether it was originating with the President.'*[279] This in turn proves problematic as a lack of definition makes it difficult to measure what type of democracy the US is promoting in Iraq, which in turn makes accountability problematic. However, based on US democracy promotion historically, we know that it will be a democracy that promotes a free-market. In acknowledging the problematic nature of a broad use of the notion, Rumsfeld stated that *'I proposed that we talk more about freedom and less about democracy, lest the Iraqis and other countries in the region think we intended to impose our own political system on them, rather than their developing one better suited to their history and culture.'*[280]

US Primacy/ Preeminence and calls for Strong Military

[277] Feith, D. (2009) *War and Decision – Inside the Pentagon at the dawn of the war on terrorism.* Harper Perennial. pp-235-236.
[278] Kaplan, L. F., & Kristol, W. (2003) *The war over Iraq: Saddam's Tyranny and America's Mission.* Encounter Books, California, p.95.
[279] Rumsfeld, D. (2011), p.499.
[280] Ibid.

Referring to the forthcoming millennium period, Bush made it clear that for the *US "this is a time of unrivaled military power, economic promise and cultural influence*."[281] Evidently the idea that the US is to be a global leader that is unrivaled is present. The US has also adopted the idea that they must attack, before they are attacked, and that they remain the sole superpower. Rice insisted "the United States has always reserved the right to try and diminish or to try to eliminate a threat before it is attacked. It simply wouldn't make sense to sit and wait to be attacked if you thought that you could eliminate a threat."[282] Rice when looking at the alternative side of the spectrum; if the US failed to act preemptively that such inaction may give birth to powerful enemies with not so pure intentions:

"Well ask yourself if you'd rather have the converse- which is that an adversary actually catches up and overtakes the United States – the United States is a very special country in that when we maintain this position of military strength that we have now, we do so in support of a balance of power that favors freedom and indeed we don't want to do it alone; we welcome and hope that there will be military contributions from other like-minded states to maintain that balance of power that favors freedom."[283]

"To support all these means of defending the peace, the United States will build and maintain 21st century military forces that are beyond challenge. We will seek to dissuade any potential adversary from pursuing a military build-up in the hope of surpassing or equaling the power of the United States."[284]

Clearly the unilateral power phenomenon calling for US dominance internationally has remained. This is achieved through a pre-emptive, unrivalled military, and unilateralism to promote and protect US interests abroad, through political and economic freedom. This has not only remained, but prevailed with senior members of our decision-making elite.

Regime Change In Iraq

Calls for Change of Policy towards Iraq

Whether or not the influence of PNAC and the DPG played a part in the spread of the interventionist mentality, one common factor that seemed to exist in a great number of our

[281] Bush, G, W. (1999).
[282] Rice, C. (2003) On Iraq, War and Politics *PBS Frontline*. Available from: http://www.pbs.org/newshour/bb/international-july-dec02-rice_9-25/ (Date Accessed 1st March 2017).
[283] Ibid.
[284] Rice, C. (2002).

decision-makers, is the support and backing of the Iraq invasion. There were many reasons, and the perspectives were rather diverse. However, the common ground remained that a change of policy was needed.

Diplomatic calls for regime change came from O'Sullivan who believed in the re-thinking of sanctions by making the following modifications *"permit foreign investments in the Iraqi oil industry… Allow foreign investment in the civilian economy.. Lift sanctions on the export and import of consumer goods.. Consider the creation of an oil-for-debt relief mechanism…terminate the flight ban on Iraq, allowing most Iraqis not in the regime to travel."*[285] O'Sullivan believed that *"if a modified Iraqi sanctions regime can give the world another decade during which Saddam Hussein is restrained, if not totally tamed then it's worth pursuing."*[286] However Cheney states that sanctions are actually breaking down referring to Iraq as a nation who sits "on top of about 10 percent of the world's oil reserves and generating enough illicit oil revenue on the sides that he's got a lot of money to invest in developing" nuclear programs.[287] Cheney states "Regime change in Iraq would bring about a number of benefits to the region."[288] Perle, referred to Saddam Hussein as *"the most dangerous man in the world"* who is *"capable of anything. Capable of using weapons of mass destruction against the US"* in 2001. He went on to state in the same interview that the US had made a *"fundamental mistake at the end of Desert Storm; we didn't finish the job. Finishing the job would have meant the destruction of Saddam Hussein's military power which in turn would have led to the destruction of his regime."*[289] Failing to act was seen as a major set-back in US leadership by the co-founder of PNAC Kristol:

"The problem today is not just that failure to remove Saddam could someday come back to haunt us. At a more fundamental level, the failure to remove Saddam would mean that, despite all that happened on September 11, we as a nation are still unwilling to shoulder the responsibilities of global leadership, even to protect ourselves." [290] Rice also remarked that *"If war occurred, we would try to build a democratic Iraq. And democracy in the Arab heartland would in turn help democratize the Middle East and address the freedom gap that was the source of hopelessness and terrorism."*[291]

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[285] O'Sullivan, M, L. (2001) Iraq: Time for a modified approach. *The Brookings Institution* Available from: https://www.brookings.edu/wp-content/uploads/2016/06/pb71.pdf (Date Accessed 1st March 2017).
[286] Ibid.
[287] Cheney, R. (2002) Transcript of Interview with Vice-President Dick Cheney on Meet the Press. *Leading To War* Available from: http://www.leadingtowar.com/PDFsources_claims_aluminum/2002_09_08_NBC.pdf (Date Accessed 1st March 2017).
[288] Cheney, R. (2002) Full text of Dick Cheney's Speech. *The Guardian*. Available from: https://www.theguardian.com/world/2002/aug/27/usa.iraq (Date Accessed 1st March 2017).
[289] Perle, R. (2001) Gunning for Saddam. *PBS Frontline.* Available from: http://www.pbs.org/wgbh/pages/frontline/shows/gunning/interviews/perle.html (Date Accessed 1st March 2017).
[290] Kagan, R. & Kristol, W. (2002) What to do about Iraq: for the war on terrorism to succeed Saddam Hussein must be removed. *The Weekly Standard.* Available from: http://www.weeklystandard.com/what-to-do-about-iraq/article/2064 (Date Accessed 1st March 2017).
[291] Rice, C. (2011), p.187.

Powell, after a long speech on 5th February, 2003 about how Saddam is not co-operating with the protocol to disarm, and is concealing information stated *"Clearly, Saddam Hussein and his regime will stop at nothing until something stops him."*[292] In support of the war, re-assuring the US population and the world that it would be painless and quick, Rumsfeld stated that the US military was able *"to do the job and finish it fast."*[293] Feith was also against Saddam, so much so that he suggested backing the opposition as early as in 1998, where he suggested that the "opportunity existed to exploit the powerful anti-Saddam" opposition, as *"Iraq's future is not with Saddam, but the democratic opposition."*[294] Just before the invasion Bush made it clear that the Iraqi regime *"has a history of reckless aggression in the Middle East. It has a deep hatred of America and our friends. And it has aided, trained and harbored terrorists, including operatives of al Qaeda. The danger is clear: using chemical, biological or, one day, nuclear weapons, obtained with the help of Iraq, the terrorists could fulfill their stated ambitions and kill thousands or hundreds of thousands of innocent people in our country, or any other."*[295]

Clearly there is a great deal of agreement on regime change in Iraq, as a vast amount of the elite decision-makers believe in regime change, though for different reasons. The unified stance therefore made it clear why the intervention took place, as there was a great deal of support for it in a unified group of decision-makers.

The unified stance on freedom, unilateralism and global leadership which started from the Bush elite members as early as 1992, was also present and backed by the White House National Security Council's *National Security Strategy* of 2002:

"the great struggles of the twentieth century between liberty and totalitarianism ended with a decisive victory for the forces of freedom—and a single sustainable model for national success: freedom, democracy, and free enterprise. In the twenty-first century, only nations that share a commitment to protecting basic human rights and guaranteeing political and economic freedom will be able to unleash the potential of their people and assure their future prosperity… We seek instead to create a balance of power that favors human freedom: conditions in which all nations

[292] Powell, C. (2003) Full text of Colin Powell's speech part 3. *The Guardian.* Available from: https://www.theguardian.com/world/2003/feb/05/iraq.usa2 (Date Accessed 1st March 2017).
[293] Esterbrook, J. (2002) Rumsfeld: It would be a short war. *CBS News.* Available from: http://www.cbsnews.com/news/rumsfeld-it-would-be-a-short-war/ (Date Accessed 1st March 2017).
[294] Feith, D. (1998) Before the next Iraqi crisis: Support Saddam's opposition. *The Jerusalem Post.* Available form: http://www.dougfeith.com/docs/1998_03_20_Support_Saddams_Opposition.pdf (Date Accessed 1st March 2017).
[295] Bush, G, W. (2003) Speech; Address to the Nation on Iraq - March 17, 2003. *Miller Centre.* Available from: https://millercenter.org/the-presidency/presidential-speeches/march-17-2003-address-nation-iraq (Date Accessed 1st March 2017).

and all societies can choose for themselves the rewards and challenges of political and economic liberty.

..that economic freedom is the only source of national wealth. In time, they will find that social and political freedom is the only source of national greatness. America will encourage the advancement of democracy and economic openness in both nations, because these are the best foundations for domestic stability and international order. We will strongly resist aggression from other great powers—even as we welcome their peaceful pursuit of prosperity, trade, and cultural advancement.

…United States will use this moment of opportunity to extend the benefits of freedom across the globe. We will actively work to bring the hope of democracy, development, free markets, and free trade to every corner of the world."[296]

These excerpts are the final unifying pieces of evidence that confirm this administration was incredibly unified on stance and rhetoric, towards US global leadership, unilateralism, pre-eminence and the spread of freedom.

Conclusion

Where you grow up, who you are and how you think has an enormous impact on everything you say and do. This chapter has covered the elite decision makers of the Iraq War. I looked at who they were, where they were from, what they studied, what their influences were, and how this impacted how they thought and acted. This chapter showed how the 43rd President of the United States clearly was influenced by his strong faith based life and background, evident in his speech, policies and views. More importantly this chapter showed how where you are from and what you are exposed to influences who you are and what you believe. The faith of Bush and the history of where he was from, and the utilization of this by Rove, and the similar levels of faith by Rice create a strong cabinet that held similar faith values. The stronghold of the deep south being a place for Israeli support, and the fact Bush was influenced by this was also evident in an administration where neoconservatives of the Jewish faith, were also present. The impact of religious fundamentalists like Darby was present in the way the orientalist rhetoric of 'good v evil' was illustrated, more importantly indicating how the east is seen by the west, which is a crucial source of influence when the US makes decisions in times of war. A question that needs answering when examining the empirical evidence (the next three chapters) in the occupation, would be whether

[296] National Security Strategy (2002) – The White House – *The White House Washington* Available from: https://georgewbush-whitehouse.archives.gov/nsc/nss/2002/nssintro.html (Date Accessed 1st March 2017).

this ‘good v evil’ outlook was reflected in decision-making. The ‘good v evil’ narrative and ideology could absolutely justify anything and everything in times of war, and therefore studying decision-making is of utmost importance.

As this chapter has illustrated, our selected elite decision makers have a great deal in common, and their backgrounds as a collective indicates some interesting factors. To summarize the decision makers as a majority are from Ivy League (elite) universities (18 out of 35), part of think tanks (21 out of 35) and held previous senior positions at corporations or were associated (18 out of 35). In terms of the education of our selected elite, it is clear that our decision-makers were in majority, from elite institutions, which clearly played a role in their ideologies and world views. The association and membership with think tanks is informative of their world views. It needs a special mention that the 11 members of the CFR, and 7 members of PNAC in the Bush elite displays a strong presence of global leadership ideology dating back to the early 1900’s. This is given the history of the CFR, and the neoconservative history covered in this chapter. In addition, the fact that our decision makers were also associated to corporations meant that they held a corporate mind-set, as senior positions would clearly affect world-views and decisions, which I illustrated in the world-views section.

The world-views of the selected 35 elite decision makers proved interesting, however not surprising. The existence of neo-conservative ideology, and the history behind the creation and spread of the ideology clearly proved to be significant. The fact that neoconservative think tanks and journals became so influential in US foreign policy, meant that all policies in any given time period could only be understood in the context of their history. William Kristol articulated the viewpoint confirming that:

“all doctrines, or all foreign policy doctrines, or governing agendas, parts are always around beforehand. Very few people come into government and invent something out of whole cloth. I think we at The Weekly Standard and the Project for the New American Century -- and many other people, Wolfowitz way back in 1992 -- had articulated chunks and parts of what later became the Bush Doctrine: the focus on regime change, the focus on democracy promotion, possibly the preemption, in this new post-Cold War world, of the proliferation of weapons of mass destruction. Certainly, there was a lot out there that could be stitched together into the Bush Doctrine. But certainly, even people like me were kind of amazed by the speed and decisiveness with which the

Bush administration, post-9/11, moved to pull these different arguments together and to construct arguments into a pretty coherent document."

Therefore, the doctrine that existed for the twenty first century was heavily influenced, if not dominated by neoconservative thought. The ideas became publicized and spread, through the original authors of the DPG. This eventually became PNAC, and became more evident in the world views of the Bush elite. These viewpoints were ever present and dominant in rhetoric, although rather ambiguous (intentionally or not). It was clear the contents of the DPG became the ideology of the Bush doctrine, with contributions from the policy planning bodies like CFR and PNAC, along with the interest of corporations. US views in the elite network were US global leadership through an unrivalled military force, a US that would act alone if they had to, in order to promote and protect their interests. This involved the promotion of freedom, in the sense of creating fertile ground for free-markets under democratic governments. The belief that the US were not to be rivalled in the 21st century was also a dominant factor, making the case that the US intended to start as they meant to go on; with the intention of dominating the century. Free markets benefit international corporations who seek to expand overseas. For a nation like the US, where global leadership has had huge investments, means that free markets abroad would open the door for US corporations to venture overseas. Democracy to the elites means that decisions would always be made via consultation, and no one individual could act irrationally, or on impulse in a way that would detriment the US. This means power would be unchallenged and maintained by a US who is an unrivalled, sole superpower.

The US foreign policy is made by unrepresentative elites

Regarding decision making, I have demonstrated how foreign policy is made by unrepresentative elites behind closed doors. US foreign policy is not representative of the US populace, instead corporations assert their will through numerous channels to influence decision makers. Although policies can take years to manifest from the initial stages of being an idea, the consistency of the elites in asserting their agendas makes the ideas turn into foreign policy. I gave evidence to this by demonstrating how the DPG eventually became the Bush doctrine. US foreign policy therefore represents the corporate elite, however this brings implications, as mentioned already.

The US is not supposed to be elitist

At this stage, after analyzing the Bush elite and their world views, it can be said that the existence of such an exclusive elite gives evidence to the US not being democratic. I demonstrated various

examples, including how the US's own constitution is contravened when violations occur regarding the separation of the church and state. This illustrates the undemocratic nature of the US and that individuals who are in power, have the capacity to enforce their personal values. These views then become that of the nation. Therefore, this affirms again that the backgrounds, networks and memberships of these elites influence who they are, and how they act in a decision-making role.
In being less than democratic, the US is consequently representative of a minority elite, and therefore not representative of the populace. The fact remains that the biggest exporter of democracy is not supposed to be elitist, they are expected to be a functioning, and representative democracy. This therefore makes an even greater case for a study that examines US decision making to examine exactly what the US brings and does to a nation in the name of democracy promotion.

Expectations

As mentioned throughout this study so far, the broadcast intention of the US in Iraq was to bring democracy and freedom, in a system that protected the rights of all Iraqis. This is what the US said they would do, by their own admission. However, as per my methodology, one of the purposes of this elite study was to set expectations on the elite, based on the conclusions of my discoveries.

Previously in this study I briefly examined US democracy historically, and analyzed the US promotion of democracy in the period of 1789-2000, and specifically focused on highlighting the type of democracy promoted under President Clinton (see Chapter 1). Under Clinton, the US was dedicated to intensely promoting 'market democracies', Clinton's worldview stressed a world of free-trading, peaceful capitalist liberal democracies, a stance that was in line with the long US tradition before him. The democracy that was promoted was categorised as 'low intensity democracy' (see Chapter 1) which prioritises the interests of global capital over popular participation.

Taking the above into consideration, I would expect the US to promote a free-market democracy in Iraq. Here, the market would be free, yet decisions would be made democratically in terms of the election of the government, through free and fair elections. I would expect US decisions to be tailored to boost interests of global capital more so than empowering the powerless populous. I would expect the US to transform Iraq's socialist economy through privatization policies. I would expect that the future of Iraq's political and economic future to be mapped out, and outlined in the new constitution (Chapter 4), and simultaneous to making the constitution, other key decisions that

the US take on the ground will also be influential in shaping Iraq's future and serving US interests (Chapter 5).

Given Iraq's history of socialism, the resistant culture of Iraqis, general anti-US values in the Middle-East, and how the war against Iraq may be seen as a war against Islam within Iraq,[297] such transitions from socialism to capitalism and privatization will not be easy. Additionally, as mentioned previously in this study (Chapter 1), US democracy promotion cannot be measured effectively through solely examining the broadcast promise of bringing democracy to Iraq, and the intentions of the US regarding democracy promotion. US democracy promotion needs to be measured by looking at the US actions on the ground in Iraq. In particular, US strategy and decision-making in response to the challenges and obstacles that Iraqi society and its ideals presented is fundamental in measuring how important DP was to the US and how reasonable US actions were in achieving their goals.

As mentioned in the introduction of this thesis, Iraqi society at the time of the invasion (and throughout its history since 1921) has been deeply divided based on sect, ethnicity and religion and the liberal-democracy the US seeks to bring to Iraq may cause a marginalization of the minorities who are Sunnis and Kurds by a majority who are Shiite. Therefore, the promise or idea of democratizing Iraq would face a huge implication as no previous Iraqi ruler has been able to peacefully unite Iraq through liberal understandings of co-existence and more common interests that preside over sectarian or ethnic interests.

As Fukuyama, who was a PNAC signatory, stated *"Whilst classical political philosophy indicates that the founding of new regimes can establish new methods of life, it has never been argued that this is an easy process. Therefore, the founding a new political system is complicated, and even more so for those who are not fully immersed in the culture, traditions and mores of the people for whom they are legislating. Very few administrators of the US empire have managed this, for example Douglas MacArthur brought the US experience to foreign lands effectively, as opposed to seeing local institutions emerging out of the knowledge, experience and culture of the local peoples."*[298]

The US, in knowing that the occupation of Iraq will be difficult from the outset were well prepared in terms of how to legitimize the force that was needed to achieve its goals. Based on the extreme level of Orientalism in the discourse used by the elites, I expect the US to use excessive and potentially disproportionate force to achieve their intended outcomes. I believe the use of the

[297] Huntington, S. P. (1997) *The clash of civilizations and the remaking of world order*. New York: Touchstone.
[298] Fukuyama, F. (2007) *After the neocons: America at the crossroads*. London: Profile, p.30.

orientalist rhetoric mentioned, indicates that the US is justifying potentially unjustifiable actions going forward. I believe such strong usage of the 'good v evil' rhetoric insinuates a war that needs to be won at all costs. This could mean the US acts undemocratically, unconstitutionally and illegally to achieve its needs. However, I predict the US will serve the interests of the corporate elite, by any means necessary, and the next two chapters will illustrate this. In acknowledging this, I believe that due to Iraq being a deeply divided society based on sect, ethnicity and religion, I do not believe that any amount of force would successfully overcome this divide. Therefore, regardless of the democracy the US promotes, one or more sect or ethnicity will potentially feel marginalized and may respond violently to the transitional methods used by the US on the ground.

Therefore, I do not believe that the Bush elite are capable of delivering their promises of democracy and freedom, and I consequently do believe that an contrasting self-serving agenda will be uncovered. This self-serving agenda will be inconsistent with the broadcast democracy promotion promises and intentions of the US. I believe my study will be an illustration of the extent that the US elites go to in order to serve their own interests.

In the next chapter, I will examine the first part of my three Iraq War case studies: the drafting of the constitution and its finalization.

Chapter 4: Elite Decisions in Iraq CPA Case Study 1.0: The Drafting of the Constitution and its Finalisation

This chapter will examine the decisions of the United States (US) in Iraq, by assessing the role of the Coalition Provision Authority (CPA) in the constitution making process. I will also be examining key events that were related, in the build-up to the making of the constitution. I will start by analyzing the rights that the US were given legally through the United Nations Security Council Resolutions (UNSCR) relating to Iraq (UNSCR), The Geneva Conventions of 1949, and The Hague Regulations of 1899 and 1907. This will enable me to then evaluate the legitimacy of the processes that took place, when assessing the actions of the CPA in Iraq**.** Additionally, in this chapter I will also be looking at the processes of the CPA in Iraq, to establish whether the decisions they took were democratic or not. Here I aim to establish whether the will of the Iraqi people was represented, or whether an ulterior agenda or motive was more conclusive. In scrutinizing the nature of US power in occupation, and in acknowledging that democracy promotion was a broadcast intention of the US, this chapter will examine how democratizing Iraq unfolded in the planning stages and on the ground in Iraq. In the process this part of the study will determine whether US elite decision-makers prioritized genuine democracy building or whether democracy promotion was used as a cover to legitimize the occupation by elites who were serving their own narrow financial interests (this will be examined in the next chapter).

One key factor to consider is that the US sold the war on the basis of democracy promotion, freedom and human rights being brought to the Iraqi people. One of the implications that such bold selling points of the war created, was that the Iraqi people alongside the rest of the world, had huge expectations on the exporter of democracy (the US and therefore the CPA), with each and every action being judged on this basis. The US had pre-selected a diverse group of Iraqi elites, intending that these Iraqi elites re-write Iraq's constitution and be handed power to govern Iraq. However, once the Iraqi populace became aware of the US privatization agenda and its undemocratic decision-making in selecting Iraqi elites as opposed to free elections, a resistance formed which coerced US elites rethink their decision-making. As soon as the US selected the Iraqi elites for Iraq's interim government (Iraqi Governing Council), attacks on the US began. A re-think in US decision-making took place regarding the way the constitution was to be written, but this did not prevent the original US-backed Iraqi elites from having the final say on Iraq's constitution.

The watchful eye of the Iraqi people, and their understanding of what was being done by the US, created a series of reactions and responses that influenced the US in their decision-making. The disagreements caused between elite decision-makers caused them to make

alterations in their decision-making. However, despite US intra-elite disagreements in Iraq, the disagreements were tactical and concerned the smaller details regarding the execution of their agenda. Consensus amongst US elites over creating a new constitution to facilitate the fundamental vision for Iraq becoming a free-market democracy enabled the US agenda to be served. The main agenda of the US elite decision-makers was to implement steps towards the privatization of Iraq's economy, to completely change the socialist structure of the state into a free-market model, and to remove all past legacies of Iraq to create a completely new state (this last point will be examined in the next chapter). I believe that the timing of making the constitution could not have been worse. Constitution making is extremely difficult in normal non-war and post-sanctions periods. Therefore, aiming to make a constitution in post-sanctions, and a post-war period was questionable. In addition to this, Iraq at the time was a nation that lacked basic human needs, such as electricity, food and water (this will be examined further). I believe the constitution making was an elaborate distraction for the Iraqi Governing Council, introducing sectarianism and obliterating unity, in the process this was an even bigger distraction for the Iraqi people. The distraction was aimed at occupying the Iraqi people's minds with the idea of freedom and rights, whilst the real agenda (established in the next chapter) was taking place. However, the distraction was insufficient to prevent the resistance, and therefore failed. The overall processes of the CPA were not democratic, and questionable, as this chapter will discuss. The constitution produced was illegal, and illegitimate, as not only was it a violation of international law, but the constitution even defected on the binding regulations set out in the agreed upon transition laws (to be demonstrated shortly in this chapter).

After initially looking at the actions that were sanctified by the UNSCR, Hague and Geneva conventions (discussed below), the structure of this chapter will be as follows. I will inspect the significant components in relation to the making of the constitution. By 'significant components,' I mean all the significant actions that took place in the buildup to the constitution, during the making of the constitution and the finalization of the constitution. I will firstly look at the Iraqi Governing Council (IGC), in terms of who they were, how they were appointed, what their significance was in terms of power and decision-making, and whether their appointments were democratic or not. As part of the focus on the IGC, I will look at the Committee chosen to draft the constitution. Again, the focus will be on its composition, and whether selection was democratic or not. The constitution of Iraq was a two-stage constitution which began with a temporary constitution that regulated the transitional period and set terms and a timetable for the permanent constitution. Therefore, I will firstly look at the formation of the temporary constitution, known as the 'Transitional Administrative Law' (TAL). The TAL came during the time

of the CPA, and then aspects of the TAL became part of the permanent constitution. I will then proceed to examine the making of the permanent constitution, and its legitimacy, before finishing with an examination of selected clauses in the permanent constitution. Here, I will focus on the origins of my selected clauses to examine whether such clauses are representative of the Iraqi population, or whether the processes to form those clauses serve an alternative long-term interest, such as the interests of the US elites.

In this chapter, I will also analyze the deadlines set by the USA, assessing whether they were realistic, and free from ulterior motives. Alternatively, I will be examining whether decision-making in Iraq was linked to domestic events in the US, such as domestic elections, amongst other US aims.

Another nation building experience? Comparisons To Germany and Japan

Many attempted to draw lessons for nation building in Iraq from other experiences after World War II. Comparisons to Germany and Japan have been made, here constitutional advisor Noah Feldman advised that this was inappropriate. Feldman made it clear that occupying Iraq was completely different to occupying Germany and Japan, as the powers had attacked the US. However, in Iraq, it was a preemptive war for self-protection and serving US interests, which was essentially voluntary.[1] Therefore, occupying Germany and Japan, was a completely different case to the US occupying Iraq.

Rights granted as per the UN Security Council Resolution (UNSCR)

It is fair to state that due to the relationship of the US with Iraq historically, and the campaign and controversy around sanctifying the war, that once the invasion took place all and every US act in Iraq would be scrutinized, with an eye for legitimacy. This section will focus on legitimacy, in the making of the constitution.

As per all modern wars and occupations, laws exist to which the parties involved must adhere, these laws are articulated and elaborated through numerous treaties and laws. The law of *'jus in bello'* (Latin for 'right actions in war') elaborates, and expressly states what nations can and cannot do during times of warfare.

Constitution making, as far as the international law stipulates, needs to be a process that is more self-determination centric, as opposed to a foreign imposition, meaning the occupying forces must not engage in expansive legislative and institutional changes that preempt autonomous political decision making, regarding the nature of the political, social and economic

[1] Feldman, N. (2009) *What We Owe Iraq*. Princeton University Press, p.2.

regime.[2] The law of 'jus post bellum' is the law of belligerent occupation, and is expressly contained in two crucial treaties: The Hague Regulations Respecting the Laws and Customs of War on Land, and the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, and in the Additional Protocols I and II of the Geneva Conventions of 1977.[3] These treaties consecrate the 'Conservation Principle,' by prohibiting any major changes in the legal, political, social or economic institutions of the occupied territory.[4] Therefore, the power of the occupier is limited and controlled, in a period that is temporary and provisional. Cohen's study cites Benvenisti's definition of occupation as the effective control of a power (be it more than one state or an international organization such as the UN) over a territory where the occupying power has no sovereign title over that territory, and the occupied territory remains sovereign in its inalienable right of sovereignty at all times.[5]

UNSCR 1483 of May 2003 recognized Britain and the US as occupying powers "recognizing the specific authorities, responsibilities, and obligations under applicable international law of these states as occupying powers under unified command (the "Authority")".

In terms of the responsibilities, obligations and boundaries, the relevant and applicable international law is expressly stated in the UNSCR 1483 as being the Geneva Conventions of 1949 and The Hague Conventions of 1907. Under The Hague and Geneva provisions for "belligerent occupation" there were detailed restrictions and entitlements assigned to occupiers. 1483 elaborates further to call upon the occupying power to attempt to improve security and stability and provide the Iraqis with the opportunity to determine their political future. UNSCR 1511 of 16th October 2003 acknowledges the Coalition Provision Authority as a temporary authority and welcomes the Governing Council (discussed further below) and its ministers as the "principal bodies of the Iraqi administration."

Article 43 of the Hague Convention of 1907 makes it clear that *"the authority of the legitimate power having passed into the hands of the occupant, the latter shall take all steps in his power to re-establish and insure, as far as possible public order and safety (i.e. civil life), while respecting, unless absolutely prevented, the laws in force in the country."* This basically means the occupying power must respect the laws that are currently in force, and adhere to them, and if needed and where possible, to create public order and safety. Basically, there is no scope for a foreign occupier to come and change the laws in an occupied nation, it must instead respect and adhere to them. The Fourth Geneva Convention, article 64 requires the penal laws of the occupied

[2] Cohen, J. (2012) Sovereignty and human rights in "post-conflict" constitution-making: Toward a jus post bellum for "interim occupations". In *Globalization and Sovereignty* (pp. 223-265). Cambridge, Cambridge University Press, p.498.
[3] Ibid.
[4] Ibid.
[5] Benvenisti, E. (2012) *The international law of occupation* (2nd ed.). Oxford, Oxford University Press.

country to remain in force, whilst article 54 requires judges and public officials maintain their status, and are not to be discriminated against, article 55 requires food and medicines to the population must be adequate. Finally, article 56 requires that standards of hygiene and public health are met and maintained.

In analyzing and applying the law in this situation it seems that the occupier does not have the legal right to disregard, or overrule the laws and sovereignty of the nation, and that all it can do, is help the occupied people and territory restore and maintain order. However, as Cohen highlights, the laws granted seem contradictory upon further analysis, as in addition to the above articles, the UNSCR 1483 also requires the occupier to *"assist the people of Iraq in their efforts to reform their institutions, to (create the) conditions in which the Iraqi people can freely determine their own political future."* Further, it also states: "*To promote economic reconstruction and the conditions for sustainable development and to promote the protection of human rights."*[6] The problem that exists here which Cohen notes, is that these requests by the UNSCR cannot involve respect for prior laws and institutions of the Iraqi state. Existing laws were oriented directly to the previous regime, which was a condemned dictatorship, in which any and all traces of its existence were to be removed because of its tyrannical history. Consequently, in this case respecting the laws of the ousted and condemned sovereign, may be contradictory towards the original intentions of the resolutions, and the occupation itself. On the other hand, as Cohen declares, it would also be questionable to allow occupiers to have a free hand at imposing their preferred form of "liberal democratic" institutions on a subject population. I believe that the laws, and regulations in place with regard to the occupation are rather ambiguous and contradictory at times. There is a clear need for reform, to not modernize the law, but place precedents or clarity in line with the climate of occupation today. Assisting the occupied as an occupier, has clearly changed in modern times. This is primarily because the economy of the world has changed significantly since these conventions were put in place, meaning that most requirements regarding assistance have evolved.

There are many differing perspectives when it comes to the application of international law, again with a great deal of controversy due to the bipolar nature of the way the law is and should be translated. Yoo believes that the US should have full authority to make complete and absolute changes, even disregarding sovereignty in the name of establishing democracy, human rights and a system where the government has limited power.[7] Yoo states that even if force is no longer needed, the occupier must remain to ensure a successful and positively conclusive end to

[6] Cohen, J. (2012), p.500.
[7] Yoo, J. (2004) *Iraqi Reconstruction and the Law of Occupation.* Berkeley Law School Scholarship Repository.

war, where one of the goals is to make sure no threats to the US emerge again. Here, the interpretation of The Hague regulations for Yoo is the sanctification of transformation by the occupier. Contrastingly, Bhuta states that the current law of occupation does not need reform despite it being anachronistic, and instead a consideration for a new law is needed, one that is applicable to current times of democratization and liberalization.[8] Due to the nature of liberal-democratization (instilling liberal-democracies), many have called for hegemonic international law, which would regulate the processes that take place under hegemony. This has driven the call for reforms in a concept called 'shared sovereignty under a Hegemonic International Law' as Cohen outlines.[9] Alongside hegemonic international law, suggestions for trusteeship have also come to the forefront, where the occupier is a trustee for the nation state and can then make decisions based on sanctified acts. For example, the occupier can collect tax in order to reach the goals of its mission, whether it be peacekeeping or nation building.[10]

The laws in place regarding Iraq, as directed by the UNSCR can be translated in different ways. The reality is that even the Iraqi people who this law aimed to protect, translated it literally (as will be discussed later in this chapter). However, the main aim of these laws is that the occupied people's needs and interests are not overlooked. Another, equally important aim is that domination by a foreign power, in ways that are detrimental does not take place. Even though clarity may be missing, the occupier must acknowledge the foundational intentions of such institutions, the condemnation of self-serving imperial powers, and most importantly respect for occupied people and their sovereignty. I believe that only where the intention of the occupier has self-serving agendas, that questions of understanding the law arise. By self-serving, I mean the occupier intending to serve its own self-interest, over that of the occupied people. This can be both in the short, and long term. Hence, if the UNSCR, and regulations like Geneva and Hague were appreciated and respected, then questions of clarity would be answered by the foundational reasons behind why such institutions are in place. Instead, as this study will show, we are left with examples where there are violations of such laws. Evidently, it can be said that the laws are indeed controversial, but such a debate is not one I will be entering, as I do not believe it needs clarifying to the extent that a debate is needed. Further clarity would help, but a lack of it does not equal or sanctify full or absolute disregard for such laws. Instead, I will focus now on exactly what the occupiers (US) did in the constitution making process, and then apply the facts directly to the laws stemming from the UNSCR. This will enable us to see if violations took place, and what

[8] Bhuta, N. (2005) The Antinomies of Transformative Occupation. *European Journal of International Law, 16(4), 721-740.*
[9] Cohen, J. (2012), p.500.
[10] Fearon, J. & Laitin, D. (2004) Neotrusteeship and the problem of weak states. *International Security* 28(4), pp.5-43.

type of constitution making took place in Iraq. In the process I will address the following questions: Was the constitution imposed but representative of the people of Iraq? Or, was it imposed and detrimental to the people of Iraq? The next sections will look at the formation of the Iraqi Governing Council (IGC), the process of making the constitution, and also how all of this weighed against the process of democracy.

Post-War Planning and background of the Occupation Authorities

Although the aim of this chapter is not to focus on the occupation authorities, a brief background will be given here in terms of the US authority's actions and their post-war planning. This will be in terms of appointments and decisions, before looking directly at the process that the constitution was made, which as noted above was made in two stages; a temporary one and then a permanent one.

As mentioned previously both in the introduction of this thesis (Chapter 1) and in the prediction on how the Bush elite would act on the ground (Chapter 3), Iraqi society at the time of the invasion (and throughout its history since 1921) has been deeply divided based on sect, ethnicity and religion and the liberal-democracy the US sought to bring to Iraq may cause a marginalization of the minorities who are Sunnis and Kurds by a majority who are Shiite.

Post-war planning

Post-war planning for Iraq began on April 9, 2002 when the State Department held the 'Future of Iraq Project' meeting.[11] However, post-war planning failed to offer a practical plan for post-war Iraq, instead the project produced a set of ambiguous and unfocused set of papers which aimed to get Iraqi-Americans thinking about Iraq's post-Saddam future.[12] In acknowledging this, elite-decision maker Rumsfeld prepared an extensive list of problems and implications that would potentially arise on the ground in Iraq. Rumsfeld read a hand written list of these issues to our elite-decision makers Cheney, Powell, Rice, at a National Security Council (NSC) meeting in the autumn of 2002 and later drafted a memo and sent it to Bush, and the rest of the NSC regarding the issues of which Rumsfeld stressed the issue of sectarian strife between Sunnis, Shiites and Kurds.[13] However, the NSC failed to systematically review the concerns.[14]

Two of our decision-making elites; Undersecretary of State, Marc Grossman, and Undersecretary of Defense, Douglas Feith, in hearings provided the US first public illustration of Post-Saddam Iraq through the Foreign Relations Committee of the US Senate, in February of 2003. In the

[11] Solomon, L, D. (2007) *Paul D. Wolfowitz – Visionary Intellectual, Policymaker, and Strategist.* Praeger Security International, p.101.
[12] Ibid.
[13] Rumsfeld, D. (2011) *Known and Unknown: A Memoir.* Penguin Publishing Group, p.480.
[14] Ibid, p.481.

statements, Grossman and Feith made it clear that they believed the conflict would be short lived, and the main issues that would arise would be in relation to reconstruction and humanitarian needs.[15] The three-stage transfer process stated in the hearings was that it would start with securing and stabilizing Iraq; a gradual transfer of power to an Iraqi transitional authority, to then finally develop and create a constitution, where the base would be a democratic government.[16] This is where the Office for Reconstruction and Humanitarian Affairs (ORHA) was first announced with Feith[17] heading the project. The argument for a short war and swift transfer of power, had Senator and ranking Democrat Joe Biden aggrieved, where he made it clear that the approach taken was belittling. Biden believed that a lack of consideration had been given to the nature and size of the task in post-war Iraq, where a suggestion was made that the UN transitional authority should be in charge of such a task. These concerns were dismissed however. There was an air of major underestimation from the US from the outset with a clear lack of a strategy for post-hostilities planning.[18]

Jay Garner and the ORHA

Jay Garner was the head of the ORHA, a retired army general who had experience in Iraq from 'Operation Provide Comfort' in 1991. Garner had a 'larger-than-life personality and a colorful resume' with a successful political and private career.[19] Douglas Feith, who was instructed by President George Bush to start planning the invasion of Iraq shortly after September 11, 2001 selected Garner to head up the ORHA.[20] Feith headed the Office of Special Plans as part of his role as deputy secretary of defense for policy.[21] Garner arrived in Baghdad on April 21st 2003, twelve days after troops took over the city.[22] Garner in various statements made it clear that his will was to hand over authority to an interim Iraqi government within 90 days; a decision which had infuriated Washington.[23] The US State Department preferred to have elections and a new constitution before the keys were handed over to Iraqis.[24]

Garner believed that a government would and should be led by six former exiles who he believed represented Iraq's diversity; Ahmed Chalabi and Ayad Allawi were Shiite leaders with Ibrahim al-

[15] Allawi, A. (2007) *The Occupation of Iraq*. Yale University Press, p.96.
[16] Ibid, p.97.
[17] Ibid.
[18] Ricks T, E. (2004) 'Army Historian Cites Lack of Postwar Plan' Washington Post 25 December 2004. *The Washington Post* Available from: http://www.washingtonpost.com/wp-dyn/articles/A24891-2004Dec24.html (Date accessed June 1st, 2017).
[19] Rudd, G, W. (2011) *Reconstructing Iraq: Regime Change, Jay Garner, and the ORHA Story.* Kansas University Press, pp.2-3.
[20] Chandrasekaran, R. (2006) *Imperial Life in the Emerald City: Inside Iraq's GreenZone*. Bloomsbury Publishing Plc, London, p.30.
[21] Ibid.
[22] Ibid, p.45.
[23] Ibid, p.57.
[24] Ibid.

Jafari, Abdul Aziz al-Hakim, and Kurdish leaders Jalal Talabani and Masoud Barzani.[25] Garner believed they were the people to take over the authority as the US had previously worked with them, and there existed common understanding. However, questions arose as Garner claimed he never knew what the exact plans were, as they were not laid out to him, again hinting at a lack of planning, and that decisions were taken as situations arose on an ad-hoc basis.[26]

Garner's deputy, Ron Adams corroborated the vagueness and ambiguity that the Pentagon and in particular Feith held regarding post-war planning.[27] In addition to the vagueness from Washington, when Garner requested solutions in January 2003 to his teams foreseen post-war implications on the ground, the issues would remain unaddressed until March where additional issues would be considered and repeatedly unaddressed. It was situations like this where Garner realized that support from Washington was slow and post-war planning was incredibly limited.[28] At a February Salahuddin Conference, in the Kurdish Region of Iraq, Garner stated that the leadership team of the 6 exiles should remain, and on the 5th of May he announced that a 9 person Iraqi leadership would be the core of the Iraqi-led government.[29] As discussions progressed, Zalmay Khalilzad (US Ambassador to the United Nations) and Ryan Cocker (US Ambassador to Afghanistan) began to receive mixed messages from Washington, as Garner hinted that his time was coming to leave Iraq.[30] *"My preference was to put the Iraqis in charge as soon as we can and do it with some form of elections… I just thought it was necessary to rapidly get the Iraqis in charge of their destiny*."[31] Garner stated that his need for early elections conflicted with the Bush Administration's economic agenda driven timetable. This timetable was to prevail over all other issues of famine, chaos, looting and resistance that took place (elaborated upon in the next chapter). Whilst this was happening, Washington focused on the timetable for privatising oil and other industries. Garner elaborated: *"I think we as Americans, and this isn't CPA, this is just we as Americans, we tend to like to put our template on things. And our template's good, but it's not necessarily good for everybody else, you know. Thomas Edward Lawrence has a great saying, I wish I could repeat it exactly, I can't, but it goes something like this: says "it's better for them to do it imperfectly than for us to do it for them perfectly, because in the end, this is their country and you won't be here very long."*[32] Garner also affirmed that *"I just think that you... again, that we're better by establishing Government and re-establishing basic services and getting things picked up and letting that Government, and through their own electoral process, decide what's good for*

[25] Ibid, p.56.
[26] Ibid, p.57.
[27] Rudd, G, W. (2011), p.97.
[28] Ibid, p.134.
[29] Allawi, A. (2007), p.104.
[30] Ibid, p.104.
[31] Palast, G. (2004) BBC News night Report: General Jay Garner on Iraq. *BBC* Available from: http://www.gregpalast.com/bbc-newsnight-reportgeneral-jay-garner-on-iraq/ (Date accessed June 1st June 2017).
[32] Ibid.

their country."[33] When journalist Greg Palast inquisitively clarified that **"**Let them decide whether to privatise the oil fields?," Garner replied "Yes."[34] It is clear that Garner intended to do what the UN required of the US in Iraq, through the mentioned regulations, along with what the US proposed they would do in Iraq before the war began. However, he was the initial viceroy but was quickly removed after his statements about early elections, and replaced by Bremer, which I will elaborate more on.

Garner's work in Iraq was deemed unsuccessful, and a different type of person was wanted for the Job by the US: Lewis Paul Bremer. Already, the lack of planning, communication and preciseness in the conviction of decision-making by the occupier is questionable on many grounds. Firstly, Iraq is a sovereign nation with a population damaged by sanctions and aggression from the previous dictator's rule. Secondly, the US is clearly unorganized, and thirdly Garner's departure sent out mixed signals and messages to the watchful Iraqi people. These messages indicated that this occupation had not been thought out.

Disagreement amongst the US elite decision-makers

Although elite theory states that a small minority from an economic elite, dominate domestic and foreign policy in the US, contestation and disagreement can also exist amongst elite decision makers. Although there was a lack of clear planning and strategy, Garner boldly followed the initial orders from Feith and announced the 3-month handover of authority back to the Iraqis. However, given that fact that Bush, Rumsfeld and Powell had an alternative strategy for Iraq and Garner was to be removed, this reflects a divide and disagreement amongst the elite decision-makers. This divide is significant enough to risk further instability by replacing the head authority on the ground in Iraq.

Paul Bremer and the Coalition Provision Authority

Lewis Paul Bremer was interviewed and approved by Bush, Rumsfeld and Powell for his appointment.[35] In terms of elite theory, for the rest of this chapter it is crucial to note that due to the interviewing and approval from the President (Bush), Department of Defense (Rumsfeld) and Department of State (Powell), Bremer's decision making going forward represents a greater unity amongst the four elite decision makers regarding the strategy going forward. Unity between these specific four decision makers represents a strong unity amongst the majority of our

[33] Ibid.
[34] Ibid.
[35] Allawi, A. (2007), p.107.

decision-makers as a collective. This is because the heads of the Department of State and Defense are in concurrence with the President which is illustrated in their contribution to the interviewing and selection process of the viceroy. This is important to note as Bremer, who is the most authoritative figure in Iraq does not represent a faction or small segment of the elite like Garner did, instead he represents the majority and is therefore the face of the elite decision-makers in Iraq.

To the exiles, the Kurds and the Middle-East, Bremer was unknown and since the CPA was authorized under UNSCR 1483, there needed to be a head civilian administrator. Bremer's role as the President's envoy, was to head the CPA in overseeing the reconstruction process, to build new institutions and governing structures. The ORHA was to fall under Bremer's new CPA, and Garner would also fall under Bremer's authority.[36]

Elite Disagreement regarding Bremer's chain of communication

However, in what would become a huge policy shift from handover of power to a longer occupation, Bremer was not interested in Garner's initiatives and had a grand vision of implementing a liberal-democracy with a huge emphasis on capitalism.[37] Rumsfeld disagreed with the fact that Bremer had separate direct meetings with himself, Bush, Rice, Powell and felt that there should have been a more organized chain of communication, as there were 'too many hands on the steering wheel'.[38] Rumsfeld also wanted Bremer to utilize the knowledge Garner possessed on the Middle-East, however Bremer overlooked Garner and numerous tactical disagreements took place before Garner left.[39]

CPA Status

It should also be noted that it was never fully established or clarified whether the CPA was accountable and responsible to the UN, or whether it was a US federal agency.[40] This lack of clarity is what enabled many fraudulent contractors to be unaccountable. Many contractors left Iraq with work uncompleted and were later found to have used fraudulent expense declaration receipts, that cost Iraq millions of dollars (see case of Custer Battles in next chapter).

The Iraqi elite and the disagreement they caused amongst US elite decision-makers

[36] Ibid, p.106.
[37] Rudd, G, W. (2011), p.324.
[38] Rumsfeld, D. (2011), p.507.
[39] Ibid, p.509.
[40] Allawi, A. (2007), p.106.

Based on extensive research, the decision regarding which Iraqis (Iraqi elites) should be selected to govern Iraq caused disagreements amongst the US elite-decision makers. In consistently applying elite theory, it is important to acknowledge the Iraqi elites and their significance in US decision-making. Aside from first US public illustration of Post-Saddam Iraq by Grossman and Feith, there were two views that were expressed by the US elite decision-makers regarding the post-war situation on the ground in Iraq. The first was view was articulated by Vice President Dick Cheney, who believed that the Iraqis would be so elated with their new-found freedom, and so motivated about the delivery of democracy, that they would cooperate with the US. Cheney stated *"things have gotten so bad inside Iraq, from the standpoint of the Iraqi people, my belief is we will, in fact, be greeted as liberators…I've talked with a lot of Iraqis in the last several months myself, had them to the White House… The read we get on the people of Iraq is there is no question but what they want is to get rid of Saddam Hussein and they will welcome as liberators the United States when we come to do that."* [41]

An alternative view was that the Bush elite had predetermined a group of Iraqi elites to lead Iraq's transition to democracy, this Iraqi elite would then take charge and govern Iraq. The consideration and preparation for the influencing of regime change in Iraq started under President Bill Clinton, where at the time invasion was not considered an option. However, the plans for Saddam's eventual removal was expressed in the 1998 Iraq Liberation Act which provided support to Iraqi opposition groups, including the backing and support for radio and television broadcasts and $97 million worth of military equipment for opposition groups.[42] The heads of these opposition groups that the US had worked with and supported directly were Ahmed Chalabi, Ayad Allawi, Ibrahim al-Jafari, Abdul Aziz al-Hakim, Jalal Talabani and Masoud Barzani.

Ahmad Chalabi, a Shiite, represented the Iraqi National Congress (INC) and was from one of Iraq's wealthiest families. Dubbed as the future 'Jefferson of Iraq',[43] Chalabi had graduated from Massachusetts Institute of Technology and also completed a PhD in mathematics at the University of Chicago. Chalabi was a shrewd businessman, and although he held close personal ties on Capitol Hill, he was mainly known as a fraudster with suspicion around his business dealings after he was convicted by a Jordanian court in 1992 for £230m worth of bank fraud in the Petra Bank

[41] Cheney, R. (2003) Vice President Dick Cheney, interview with Tim Russert on NBC's *Meet the Press*, transcript for 16 March 2003. *The White House Washington.* Available from: https://georgewbush-whitehouse.archives.gov/vicepresident/news-speeches/speeches/vp20010916.html (Date accessed 15th November 2018).
[42] Byman, D., & Waxman, M. (2000) 'Confronting Iraq: US Policy and the Use of Force since the Gulf War'. *Rand*, Available from: https://www.rand.org/content/dam/rand/pubs/monograph_reports/2007/MR1146.pdf p30-31. (Date accessed 15th November 2018).
[43] Ali, T. (2003) *Bush in Babylon: The recolonization of Iraq.* Verso, London, p.205.

scandal.[44] After becoming a popular figure in the opposition towards Saddam Hussein, Chalabi enjoyed a close relationship with our selected elites; Vice President Cheney and PNAC member Wolfowitz.[45] Living in exile in London, Chalabi consistently lobbied Washington for support towards regime change in Iraq and was deemed influential towards the creation of the Iraq Liberation Act of 1998.

Ayad Allawi, also a Shiite, was the leader of the Iraqi National Accord (INA) and therefore Chalabi's arch rival. Allawi was a physician who escaped assassination in Iraq and when living in exile in Britain.[46] Allawi had worked on numerous military coup attempts in Iraq through providing intelligence to the British and US intelligence organizations.[47] The two Kurds that were previously known to the US were Masoud Barzani who was the head of the Kurdish Democratic Party (KDP) and Jalal Talabani who was the head of the Patriotic Union of Kurdistan (PUK). Both leaders headed parties that had effective militias (known as the Peshmergas) that fought alongside the Coalitions Special Forces during the invasion.[48] Ibrahim al-Jaafari, a Shiite, was a representative of the Islamic Dawa Party, which had fought an insurrection against the Baathist regime in the 1970's, after which both Jaafari and the party had been forced into exile. The final exile that the US had been working with was Abd el-Aziz al-Hakim, also a Shiite, and a theologian and politician that had been instrumental in the 1977 uprisings in Iraq. Hakim was exiled to Iran where he founded the Supreme Council for the Islamic Revolution in Iraq (SCIRI).

The significance of the original Iraqi elites that Washington had worked with previously will be revisited in this study when examining the democracy and political climate of Iraq (Chapter 6).

Iraqi elites

By the time Bremer entered Iraq, the 6 former exiles that the US had worked with had become 'The Iraqi Leadership Council' (ILC), with new addition Naseer al-Chaderchi, a Sunni lawyer who headed the National Democratic Party that had attempted to establish democracy in Iraq as far back as late 1960.[49] Additionally Adel Abd el-Mahdi who represented the SCIRI, replaced Abd el-Aziz al-Hakim.[50]

When planning for regime change in Iraq, the Bush elite maintained favor with these Iraqi elites (ILC as mentioned above), most of which were exiled, except the two Kurdish leaders who

[44] Salaheddin, S. (2015) Ahmed Chalabi: Politician who furnished Bush and Blair with the false information that led to the allied invasion of Iraq. The Independent. Available from: https://www.independent.co.uk/news/obituaries/ahmed-chalabi-politician-who-furnished-bush-and-blair-with-the-false-information-that-led-to-the-a6720136.html#r3z-addoor (Date accessed 15th November 2018).
[45] Ibid.
[46] Bremer, L., & McConnell, M. (2006) *My year in Iraq: The struggle to build a future of hope*. New York, Threshold Editions, p46.
[47] Ibid.
[48] Ibid.
[49] Ibid.
[50] Allawi, A. (2007), pp.108-109.

remained in the northern part of Iraq. The support the US gave to these opposition groups was a based on a firm belief that installing the right Iraqi political elites would prove crucial to US interests in the post-Saddam transition of Iraq. Based on the diversity of opposition groups that were given support, it is clear that the US was keeping its options open through diversity of Sunnis, Shiites and Kurds.

Although the US kept its options open, it was Ahmed Chalabi who was seen as the most suitable leader to succeed Saddam. This was made clear in the constant financial backing the Pentagon and the CIA gave to Chalabi for over a decade, amounting to $340,000 a month in return for intelligence on Saddam and the growth of the opposition.[51] Chalabi was at one with the neo-conservatives, sharing an identical vision for the future of Iraq and the Middle-East, everything Chalabi said was in line with what they believed.[52] The Pentagon had established a reputation for removing decision makers who disregarded the chosen Iraqi exiles, with the State Department's Thomas Warrick being one of those who were taken off the ORHA because he criticized the Iraqi exiles that the Vice President's office and the Pentagon had chosen.[53]

Chalabi, along with around 500-600 US trained militias of the Free Iraq Forces were flown into Iraq by the US government. The decision to bring him in was backed by US officials. Ironically, Chalabi arrived in Iraq to a lack of popular support from the Iraqi public. Despite this, Chalabi immediately began to manoeuvre as the leading political authority upon arrival in Baghdad. The members of his group established what US officials called "Chalabi cantons" which had roadblocks and toll charges, and told Iraqis that they should report to the INC before returning to work.'[54] Similar to the INC, Ayad Allawi's INA was also funded to set up offices around Baghdad and publish party newspapers.[55] However, similar to the INC, the INA failed to put down roots in Iraqi society, instead Iraqis were hostile towards them.[56]

Elite disagreement

Differences between the White House, Pentagon, and State Department about which Iraqi elites should govern Iraq were present from the outset. President Bush opposed the Pentagon's idea of

[51] The Guardian (2004) 'Pentagon protege humiliated as US and Iraqi police raid Baghdad villa'. *The Guardian.* Available from: https://www.theguardian.com/world/2004/may/21/iraq.julianborger (Date accessed 15th November 2018).
[52] Wright, R. (2004) 'Standing of Former Key US Ally in Iraq Falls to New Low', *The Washington Post*, 21 May 2004. *The Washington Post.* Available From http://www.washingtonpost.com/wp-dyn/articles/A43775-2004May20.html??noredirect=on (Date accessed 15th November 2018).
[53] Daalder, I. H. & Lindsay, J. M. (2005) *America Unbound: The Bush Revolution in Foreign Policy.* New York: John Wiley and Sons, p.164.
[54] Ibid.
[55] Dodge, T. (2003) *Inventing Iraq : the failure of nation building and a history denied* . London: Hurst, pp.166-167.
[56] Ibid.

an interim government of exile Iraqis before the War, due to a lack of guarantee that it would be representative of the Iraqis who remained. Despite the differences, all three agencies were in the belief that once the US officials arrived, they would hand Iraq over to 'a hastily formed transitional government', within this government Iraqi elites were to be handpicked from Washington.[57] According to David Phillips, who was a senior State Department official at the time of the occupation, the Pentagon through Feith, provided Jay Garner the names of those Iraqi elites who were to govern Iraq.[58] The Iraqi elites were to act as de facto ministers for each of Iraq's ministries in the occupation.[59]

The appointment of the Interim Governing Council and the disagreements caused

As mentioned above, UNSCR 1511 welcomed and acknowledged the Interim Governing Council (IGC) and its ministries, as the branch that embodies the sovereignty of Iraq, and controls the constitution making process. The selection of the IGC was done directly by Bremer himself alongside the ILC, where the initial plan by Bremer was to diversify and expand the ILC into a larger group that would select the interim government.[60] Disagreements started when One of the 7 members of the ILC, Kurdish Leader, Jalal Talabani, wanted to handpick a national conference to choose the new government. Bremer thought this may go against the national unity the CPA were trying to achieve.[61] In disagreeing with the former decision of the elite decision maker Garner, Bremer was against the forming of an Iraqi government by the ILC, stating there is no national consensus on how to select, let alone how to elect.[62] Bremer approached the members individually, convincing them of their importance in Iraq, and their duty to serve. One of the IGC members to be, Chalabi advised Bremer regarding the coalition errors to date and how provincial elections were needed. However, Bremer believed this was not possible without a constitution, and with the Ba-athist laws still in place, along with no census, no electoral laws and no laws on political party activities.[63] It must also be noted that the constitution in place in Iraq at the time was not 'Baathist,' nor did it have 'Ba-athist' laws. In actual fact it was a constitution written in 1971, eight years before Saddam took over, and was a constitution which declared all resources of Iraq belong to 'the people of Iraq in a socialist state.'[64] Chalabi warned Bremer that slowing down

[57] Chandrasekaran, R. (2003) 'US Sidelines Exiles Who Were to Govern Iraq', *The Washington Post*, Availble from: https://www.washingtonpost.com/archive/politics/2003/06/08/us-sidelines-exiles-who-were-to-govern-iraq/78d33d3d-b533-473b-8cb1-9515493a9ad1/?utm_term=.72507822645e (Date accessed 15th November 2018).
[58] Phillips, D. (2005) Losing Iraq: Inside the Postwar Reconstruction Fiasco. Boulder, CO: Westview, p.131.
[59] Ibid.
[60] Bremer, L., & McConnell, M. (2006), p.46.
[61] Ibid, p.87.
[62] Ibid, p.88.
[63] Ibid, p.89.
[64] The Ministry of Information - Baghdad (1971) The Weekly Gazette of The Republic of Iraq: Interim Constitution of Iraq 1971. *The Ministry of Information Baghdad* Available from: http://www.hrcr.org/hottopics/statute/scans/iraq1.pdf (Date accessed 1st June 2017).

the political process may cause Iraqis to believe that the US wants to stay in Iraq for a long time.[65] Bremer affirmed his plans and declared that the "Governing Council will have real political power."[66]

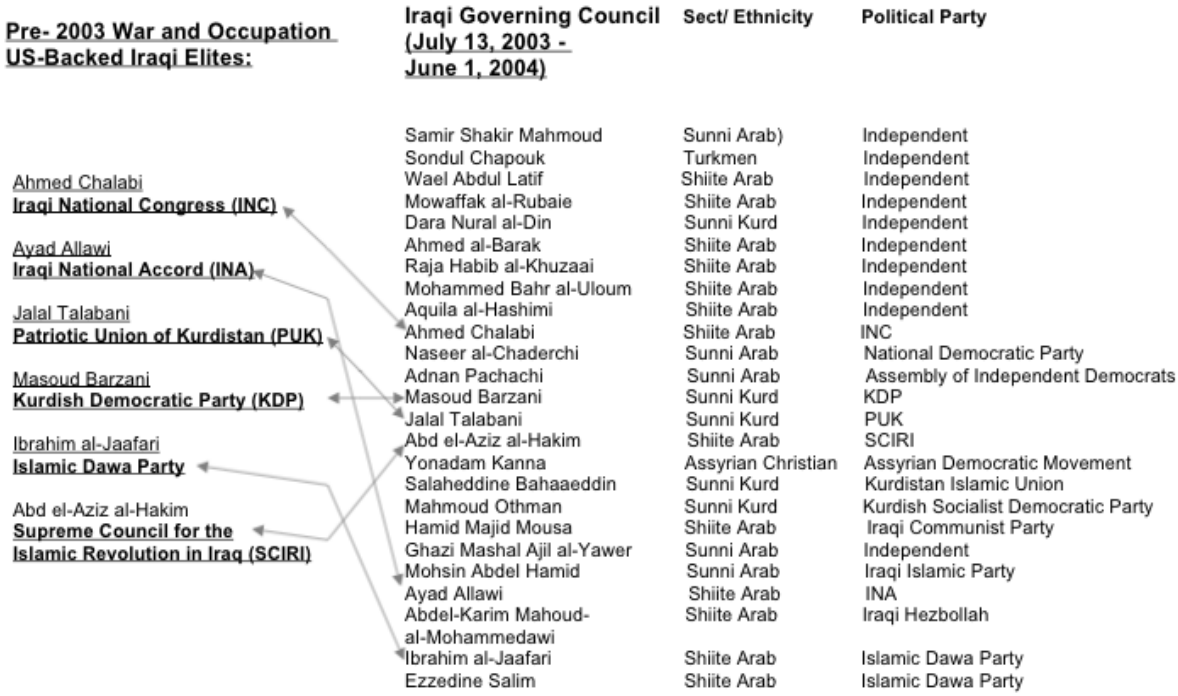

Figure 4.1 Pathways of Iraqi elites that the US had worked with before the 2003 War and Occupation into the IGC.

Note regarding pathways of Iraqi elites: In *Figure 6.1* of Chapter six, despite the above diversification of the IGC, the Islamic Dawa Party, PUK, KDP, and INA political parties from the original US backed exile groups went on to dominate Iraqi politics for the next 15 years. In 27 positions of President, Vice-President and Prime Minister of Iraq alongside President, Prime Minister and Deputy Prime Minister of the Kurdish Regional Government, 23 of the mentioned posts went to the parties of the original groups that the US had worked with before the 2003 War: the Islamic Dawa Party, PUK, KDP, and INA, only 4 positions went to alternative parties.

Iraqi Governing Council Finalization

The IGC was finalized on Sunday 13 July 2003 with 25 members who were selected to represent Iraq's diversity, the 7 members of the ILC were consulted by Bremer. In the IGC there were 13

[65] Bremer, L. & McConnell, M. (2006), p.89.
[66] Ibid, p.92.

seats for the Shiites who account for 60 percent of the Iraqi population, the rest of the 12 seats were allocated to Iraq's minorities, Sunni Arabs, Kurds, Assyrians and Turkmen.[67] The appointments were made by the CPA in consultation with the anti-Saddam entities that were working with Washington before the war.[68] UN Representative Sergio Vieira de Mello also advised the Council's establishment. In the Council, 9 of the 25 members were returning exiles, 6 from the Shiite members, the other 3 Arab Sunnis. Also, worthy of note, is the fact that 5 Kurdish members and at least one other Iraqi on the Council had lived in northern Iraq since it became out of Saddam Hussein's realm of control in 1991, after the Gulf war.[69] The council could appoint temporary diplomats and ministers, modify budgets and introduce proposals. However, the CPA can veto any, and all of its decisions.[70]

Legitimacy both in selection and amongst Iraqi population?

Aside from only 28% of the IGC having lived in the south and central Iraq under Saddam Hussein[71], the other issue with the formation of the IGC was that it was not democratically elected, and instead chosen by the CPA. The implication of this, is that one of the base reasons for going to war was the promise of democracy. This in turn created a meticulously watchful eye on the CPA from the moment they were announced, according to the ordinary people of the occupied population of Iraq, democratic means had to be followed. The choice to not have elections from the beginning was one that caused great concern, and therefore criticism from inside Iraq. What must be understood, is the culture that the US took occupation of, for example you have a nation debilitated through wars, sanctions and a heavy bombing campaign (see next chapter for the extreme and over-excessive amounts of bombs dropped), with the latest bombing campaign and war being in the name of democracy and rights of representation for all. Therefore, anything other than this would foreseeably cause upheaval. Therefore, decisions by the US had to be consistent with the promises made, otherwise the Iraqi people were going to react. The decision to delay elections, and the handing over of power has other reasoning behind it, beyond the inadequacy of the IGC and the lack of means for elections.

Early election polls gave the US an indication of the will of Iraqis, and how they wanted Iraq to be. The polls indicated that Iraqis were not blind to the US's plans of privatisation. Washington based *International Republican Institute* asked Iraqis a series of questions, and the results were not

[67] Otterman, S. (2005) Iraq: Iraq's Governing Council: What is the makeup of the Iraqi Governing Council? *Council on Foreign Relations* Available at: https://www.cfr.org/backgrounder/iraq-iraqs-governing-council (Date accessed 1st June 2017).
[68] Ibid.
[69] Ibid.
[70] Ibid.
[71] Dodge, T. (2012) *Iraq: From war to a new authoritarianism.* Routledge, p.43.

promising for the US and CPA plans of privatisation. The Iraqis were asked in a poll what type of politicians they would vote for if they had the chance in elections, the Iraqis by 49% voted for the party who would provide 'more governmental jobs', strengthening the Iraqi police came second highest at 32.9%, with improving electricity services at 29.1%.[72] Ironically only 4.6% voted for 'more private sector jobs,' whilst 4.2% voted for 'keep coalition forces until security is good.[73] This poll was conducted in December 2003, where 1531 Iraqis were interviewed by the *International Republican Institute*. It was no wonder that Bremer and his CPA continued to reject and delay elections, as the US plan for privatisation would have been rejected by the Iraqi population.

It was from the selection of the IGC that the attacks started. Iraqis were asking: why drop all these bombs, kill all these people and their relatives in front of their eyes whilst promoting democracy, to then act undemocratically. UN diplomat Salim Lone stated the "first devastating attacks on the foreign presence in Iraq, for example came soon after the US selected the first Iraqi leadership body in July 2003, the Iraqi Governing Council; the Jordanian mission and then, soon after, the UN's Baghdad headquarters was blown up, killing scores of innocents… the anger over the composition of this counsel and the UN support for it was palpable."[74] The people of Iraq protested at the selection chanting "no no selection, yes yes election" with 100,000 protestors turning out in Baghdad, and over 30,000 protestors in Basra, this was just the beginning of a surge that was to eventually turn into 'Islamic State of Iraq and al-Sham' (ISIS) a decade later.[75]

The arguments supporting the CPA, were that the process was politically but not electorally correct for the IGC to be formed.[76] This was on the basis and assumptions that the CPA took the best decision at the time, as ways and methods to organize and conduct elections at that specific time were not viable. If the CPA was struggling with legitimizing the formation of an Iraqi government democratically via elections, then why did they not internationalize the occupation fully, and utilize the international community starting with the UN? It has to be stated that with the support of the UN and other nations, maybe the likelihood of elections would have been possible, creating legitimacy.[77] The expertise and experience which the UN had with Iraq, especially with its access to a wide range of Iraqi actors, had the US shared the responsibility, this information would have influenced decision making in line with democratic legitimacy. The

[72] Foote, C., Block, W., Crane, K., Gray, S. (2004) Economic Policy and Prospects in Iraq, *Public Policy Discussion Papers*, no. 04-1 (Boston: Federal Reserve Bank of Boston, May 4, 2004). Available from: https://www.bostonfed.org/publications/public-policy-discussion-paper/2004/economic-policy-and-prospects-in-iraq.aspx. (Date accessed 1st June 2017).
[73] Ibid.
[74] Klein, N. (2008) *The shock doctrine* Penguin Books, p.344.
[75] BBC (2007) Timeline: Iraq after Saddam. *BBC* Available from: http://news.bbc.co.uk/1/hi/world/middle_east/4192189.stm. (Date accessed 1st June 2017).
[76] Arato, A. (2009) *Constitution Making Under Occupation*. Columbia University Press, p.21.
[77] Ibid, p.22.

necessity for the UN in this situation, would have aided the US, as the UN were not the ones invading. The UN had no long-term plans for domination (nor did they have a history for it), and it would have provided international representatives who would reassure Iraqis in the management of this process.[78] The elections that could indeed have been made possible from the help and guidance of the UN, may have created that legitimacy that was needed as Arato puts it.[79] The option to dismiss elections caused a reaction of insurgent attacks later on, the US suddenly then became pro-elections, with elections taking place exactly eighteen months after the possibility was dismissed (later in 2005 as this study will discuss).[80] It later was stated by Noah Feldman who was a constitution making advisor to the Iraqis, that early elections were not a good idea as the 'wrong people' could get elected, the wrong people being either former Baathists or Islamists.[81]

It was also confirmed by a former Lieutenant-Colonel D. J. Reyes, that his team held elections and engaged with the local population within two weeks of arriving in Mosul, in January, 2004, trying to achieve some legitimacy in the occupation.[82] Elections were breaking nationwide in Iraq, and were facilitated with the help of US soldiers. However, a call from Marine Major General Jim Mattis which was inspired by Bremer's orders was that; *"The election had to be cancelled. Bremer was concerned that an unfriendly Islamic candidate would prevail. . . . Bremer would not allow the wrong guy to win the election. The Marines were advised to select a group of Iraqis they thought were safe and have them pick a mayor. That was how the United States would control the process."*[83] This was taken from Michael Gordon and General Bernard Trainor, who produced *Cobra* II, which is regarded as the definitive military history of the 2003 Iraq invasion. It should also be noted that what happened here in Iraq is similar to what happened in the US-led 1945 Korean war. In Korea, elections were boycotted by many political organs due to disagreement, terrorism and political violence. Thousands of Koreans perceived the elections as an attempt by the US to fragment Korea, and therefore opposed the elections. The terrorism and right-wing political violence led to thousands of Koreans being killed. In this case, the US were contrastingly pro-elections, despite the violence and chaos, and the UN advising against the elections. The elections eventually resulted in the preferred US candidate Syngman Rhee (who was a former US exile) being elected.[84] This is an interesting contrast, as in Iraq the US prevented elections despite

[78] Ibid.
[79] Ibid.
[80] Cockburn, P. (2007) *The Occupation: War and Resistance In Iraq*. Verso, New York, p.183.
[81] Feldman, N. (2009), pp.98-99
[82] Cockburn, P. (2007), p.132.
[83] Gordon, M., Trainor, B. (2006) *Cobra II. The Inside Story of the Invasion and the Occupation of Iraq.* New York, Pantheon Books. p490 see also Booth, W. & Chandrasekaran, R. (2003) "Occupation Forces Halting Elections Throughout Iraq," *Washington Post*, June 28, 2003 Available from:https://www.washingtonpost.com/archive/politics/2003/06/28/occupation-forces-halting-elections-throughout-iraq/46b8f2c3-8fcf-4f2c-a334-117bdd70e73e/?utm_term=.273c583b3340 (Date accessed 1st June 2017).
[84] Parmar, I. (2016) Racial and imperial thinking in international theory and politics: Truman, Attlee and the Korean War. *The British Journal of Politics and International Relations, 18*(2), *351-369.*

the populace demanding it, however, in Korea the populace opposed elections, but the US demanded it. It is interesting that early election polls had already given insight to the US, regarding what type of government the Iraqis preferred, therefore preventing elections was strategic. Why the US preferred selection over election in this specific period, will be established by the end of the next chapter. More instances of selection, as opposed to elections occurred in Iraq. For example, the US appointed a Saddam-era army colonel to become Najaf's mayor, something they practised nationwide in cities and towns across the country, again causing alarm and distress with regards to an occupation that was seeming to not liberate the Iraqi people.[85] Instead, the US was selecting preferred candidates as opposed to allowing free, democratic elections.

The question naturally arises regarding what the intentions of the US were. Was the intention of the US to democratize Iraq? If so, the democracy the US exported would have to be democratic to the letter, as the Iraqi population would be watchful. Or was the US more interested in the long-term serving of US elite interests in creating a free-market democracy where it could freely conduct its business? Arato calls this way of operating 'empires democracy,' and therefore not really democracy as per Przeworski.[86] Bremer had said in denying the handing power over, that his *"experience with the Governing Council at this point suggested this would not be a good idea.. They couldn't organize a two-car parade… They were simply not able to make decisions in a timely fashion, or any decision. Moreover, I still felt strongly about the importance of getting a constitution in place before we handed sovereignty to anybody."*[87] However Bremer's authority was not to remain unchallenged, receiving many questions from influential Iraqis who had the power to mobilize against the occupation, something the US began to understand through the emerging Iraqi resistance.

Democratic Watch: Grand Ayotollah Sistani

One of the biggest advocates of democracy in Iraq was Grand Ayotollah Sistani who had a following of 15 million Shiites in Iraq. Sistani, in a fatwa (religious ruling by a recognized spiritual authority on Islamic law) before the formation of the IGC, stated that the CPA does not have the authority to appoint members of the constitution writing council. Sistani stated that there is no guarantee that such a council would produce a constitution that represents the interests and

[85] Booth, W. (2003) In Najaf, New Mayor Is Outsider Viewed with Suspicion. *Washington Post.* Available from: https://www.washingtonpost.com/archive/politics/2003/05/14/in-najaf-new-mayor-is-outsider-viewed-with-suspicion/529e4970-0fa5-4743-917c-39e7271ca2cb/?utm_term=.6119496df4e2 (Date accessed 1st June 2017).
[86] Przerworski, A. (1991) *Democracy and Market.* Cambridge University Press.
[87] Bremer, L. (2006) Interview conducted June 26, 2006, and August 18, 2006, for "The Lost Year in Iraq," *PBS Frontline*, October 17, 2006. Available from: http://www.pbs.org/wgbh/pages/frontline/yeariniraq/interviews/bremer.html (Date accessed 1st June 2017).

needs of the Iraqi people, and most importantly Islam and its social values.[88] Sistani called for general elections where eligible Iraqis can choose a representative in the constitution writing assembly, then the constitution must have a referendum where the people of Iraq decide if they agree with it or not. Sistani also urged all believers to realize the severity and long-term importance of the constitution, to make sure the task is effectively carried out in the long term interests of the Iraqi people.[89] Bremer had previously outlined a seven step plan for Iraq's sovereignty which started with creating the IGC, selecting a preparatory committee to devise a way to draft a constitution, letting the IGC take over more day to day tasks of running Iraq, write the constitution, have popular ratification of the constitution through a referendum and then elect a government, before finally handing power over to the Iraqi government.[90]

Elite disagreement due to Sistani's actions

Bremer initially overlooked the fatwa of Sistani, not realizing his massive Shiite following, and also overlooking the chaos and insurgency that was developing amongst Iraqis, who were starting to see the US as occupiers as opposed to liberators. It is important to note that US elites attempted to serve their own interests by introducing a puppet government, however this failed to run smoothly for the US, causing them to rethink. Sistani's fatwa, and the insurgency that was developing caused disagreement amongst the elite decision-makers which led to an emergency meeting for Bremer in Washington, with Rice (National Security Advisor) and Powell attending. Bremer's plans originally were to change, with Sistani's influence being considered, especially given the fact that violence was escalating with more fatalities, and anti-US rhetoric becoming dominant in Iraq. Returning from the meeting in the US on November 15, 2003, Bremer arrived for a meeting with the IGC, to finalize an agreement on how to move forward with the process of writing the constitution. Bremer's caution against allowing elected representatives, was due to a fear that elected drafters may not separate religion and the state.[91] Bremer had appointed the IGC, and now a preparatory committee, who would decide how the constitution should be composed. The committee had 25 members, and was comprised of judges, lawyers, professors but not people from political party backgrounds.[92] The committee however, in considering how to decide who would physically draft the constitution, voted for elections 24-0. In favoring elections, the committee was hesitant on appointing drafters, as going against or disregarding Sistani's fatwa was very difficult if not impossible, due to the culture in Iraq, according to committee

[88] Sistani, A. (2004) Ayatollah Sistani: In Quotes, *BBC*. Available from: http://news.bbc.co.uk/2/hi/middle_east/3604810.stm (Date accessed 1st June 2017).
[89] Ibid.
[90] Bremer, L. (2003) 7 step plan. *PBS* Available from: http://www.pbs.org/wgbh/pages/frontline/yeariniraq/documents/bremerplan.html (Date accessed 1st June 2017).
[91] Chandrasekaran, R. (2006), p.207.
[92] Ibid.

member Yass Khuddier.[93] Meanwhile at the same time IGC members were becoming more concerned with the violence in Iraq, and demanded more authority, with Chalabi claiming that Iraqi people don't understand occupation.[94] The discontent amongst the IGC, and their concerns for Iraq led certain members to lobby the French, Russians and Germans to support a hurried transfer of sovereignty. One council member who was inspired by Chalabi, went to France to raise the issue, whilst Chalabi went to Capitol Hill, and the UN headquarters in the US.[95] The issue was that whatever the US did, the IGC members were the ones who were seen by the Iraqi people, and were therefore, being watched, judged and criticized. Bremer saw this as an opportunist attempt at a power grab.[96] Bremer made it clear that the government that is to be appointed, cannot have legitimacy to take on the complex issues of writing the constitution, and conducting the economic reconstruction.[97] Simultaneous to this, the US pushed for yet another UNSCR, which would acquire more international support for reconstructing Iraq. In addition, the new UNSCR would encourage the UN to come back to Iraq, due to further violence which involved truck bombings at their headquarters in Baghdad.[98] When France and Russia became aware of the UNSCR, they seized the opportunity to push for a December 15 deadline, for the IGC to give timetables for the constitution writing process, and the holding of elections.[99] However, despite all of this, the resolution did not reach fruition, as no other nation provided support, and the UN did not return to their headquarters.

There was a huge deal of confusion regarding the process of how the constitution was to be written. Bremer aspired for the IGC to form a method that did not involve elections, the IGC could not provide that alternative. The conundrum is the reason Bremer went back to the US (mentioned above), to reconsider the best way forward with Rice and Powell. It was from here that the November 15th agreement (below) was formed and finalized upon his return.

The November 15th Agreement

The November 15th Agreement of 2003 included five agreed points. The first point was that Iraq was to be governed under a new 'Fundamental Law,' which later became 'Transitional Administrative Law,' and this was to be drafted by the IGC, followed by approval from the CPA. The CPA will then approve the TAL, and consider the Interim Iraqi Government that is to take

[93] Ibid, p.208.
[94] ibid, p.209.
[95] Ibid, p.210.
[96] Ibid.
[97] Ibid.
[98] Ibid, p.209.
[99] Ibid, p.211.

power. The TAL was intended to grant freedoms of speech, legislature, religion (this was in terms of equality for all regardless of religion, sect or tribe), and finally a federal arrangement with parts of Iraq having governorates that have specified powers, which are to be exercised by those local entities.[100] The TAL was also intended to include statements about the following; separation of the judiciary, civilian political control over Iraqi armed and security forces, a statement that the TAL cannot be amended, though making it clear that it is temporary. It also included a timetable for drafting Iraq's permanent constitution by an elected body, selected by the Iraqi people, with ratification by the Iraqi people, and holding elections under the new constitution. The deadline for the TAL was February 28th, 2004.[101] The second point in the agreement, was regarding security arrangements. The third point was regarding the selection of a Transitional National Assembly, where guidelines would exist in the TAL which were to be followed such as a 'caucus process where members of the Transitional National Assembly get selected through a transparent, participatory, democratic process of caucuses in each of Iraq's 18 governorates.' The Transitional National Assembly was to be selected no later than May 31st, 2004.[102] The fourth point was a date for restoration of sovereignty to the Transitional National Assembly, this would be selected via the caucus system, and the final point was the finalization of the process that would be adopted for the permanent constitution of Iraq. The constitution will be written by a convention of drafters to be elected by the Iraqi people and the elections will be no later than March 15th, 2005. Once drafted and finalized, a referendum would be held to ratify the constitution. Elections for a new government would then be held by December 31st, 2005, where the TAL would have expired, and the new government would have taken power. This agreement was signed by the president of the IGC Jalal Talabani, and for the CPA it was signed by Paul Bremer.[103]

Sistani Intervenes again

Sistani who had become the voice of democracy for the masses in Iraq had objections again with the November 15th agreement, and was making them known. Although Bremer stated in his book that the clauses of the November agreement were checked with Sistani, before going to the US for the meeting with Rice and Powell and the NSC, what was shown to Sistani, was not the agreement that came out.[104] Bremer's original 7 step plan had changed, and although Sistani did contribute to the changes, the argument stands that the November 15th Agreement was the US plan B (it is likely that there was a plan C and so forth).[105] Hence, Bremer laughed at Pachachi

[100] Arato, A. (2009), p.110.
[101] Ibid, p.111.
[102] Ibid, p.112.
[103] Ibid, p.113.
[104] Bremer, L. & McConnell, M. (2006), pp.215-229
[105] Ibid.

(Adnan Pachachi a veteran Iraqi politician who was made head of the drafting committee), when he presented the plan as his own to the IGC, when clearly it was the US plan B all along.[106] As stated above the original plan was to have an Interim constitution (TAL) drawn up by March 2004, and elections for the Transitional National Assembly by July 2004, and an Iraqi government would have been selected by the Assembly, with the CPA watching over the whole process.[107] Although, a case also existed in Washington, where the US were worried that a summer election in 2004, was too close to their domestic election.[108]

Two stage constitution making

Ultimately a two-stage constitution making process was to be the way, with the TAL for the interim, and then a permanent constitution. The battle here was that the US wanted the constitution to be one way, and Sistani wanted it to be democratically perfect in its making process. As Arato states, it was Sistani who would have the final say, as his constitution process would make the final method. However, it is to be noted that the TAL clauses would be a foundation for the permanent constitution, making the constitution servile to US interests in the short-term, and more importantly in the long-term.[109]

Sistani Objects again

Sistani released another fatwa 11 days after the November 15th agreement, on November 26th, where he denounced the agreement. Abdel-Mahdi an IGC member, and his boss Abdul Aziz al-Hakim, the SCIRI's head went to see Sistani to discuss the November 15th agreement, where Al Hakim made his concerns clear regarding the caucus plan, which not everyone in the IGC fully understood.[110] The system was seen by Sistani and Al-Hakim to have factual loopholes, which would cause deficiencies in meeting the needs of the Iraqi people. Bremer then sent the IGC president Talabani to see Sistani. Talabani was also convinced that the concerns were logical and reasonable, therefore agreeing with Sistani.[111] In Sistani's fatwa, he made it clear the TAL lacks legitimacy, as it had been made by the IGC and the CPA. Sistani stated that the TAL must be presented to the elected representatives of the Iraqi people and approved by them before it comes into force. Also, the method of electing members for the transitional legislature does not guarantee an assembly that represents the Iraqi people. Sistani stated that the process must change towards elections, as opposed to the caucus system. Sistani even suggested using the food

[106] Ibid.
[107] Ibid.
[108] Arato, A. (2009), p.114.
[109] Ibid, p.114.
[110] Chandrasekaran, R. (2006), p.227.
[111] Ibid.

ration system currently in place to facilitate elections, as this would indicate the numbers of people in each, city, district and area.[112]

In terms of legality, the IGC writing the TAL or the constitution is not a breach of the UNSCR, as it was accepted under UNSCR 1511. However, the TAL could have been a brief document that was (as per the intention of its creation) just for the interim, and covered the areas where there were issues i.e. selection of a government via an agreed path for elections, and it could have also been kept minimal.

But according to elite decision-maker Galbraith,[113] this new November agreement was Washington's desperate plea to leave a permanent mark in Iraq, with Bremer and his aides preparing a series of clauses that they wanted to be the basis of the TAL.[114] One must note at this stage as Arato noted; there's a difference between ratification and drafting. An interim document gaining its validity from an assembly that is elected under it is circular, and therefore democratically, procedurally flawed.[115] Sistani's version of democracy, and the Iraqi people's version of democracy was electoral legitimacy, however, this was not present from the beginning. On the same token, there may have been difficulties in logistically and feasibly holding such elections. However, in such a case, the CPA should have articulated this more effectively to the Iraqi people. The fact remains that elections were possible as noted above, however this was prevented due to the fear of the 'wrong person being elected.' Though, the omission from the CPA in not addressing these issues with elaborate explanations, started to cause resentment towards the US. The delay of elections was also understandable, as certain considerations had to be made, regarding rights of all in any new given system. Free elections, and a monopolization, or majority of drafters being from a certain sect or ethnicity, may have caused results that are detrimental to minorities. Another reason for going against elections or delaying them, was because there was a lack of security in the Sunni areas, which meant that participation would be discriminatory. The safety issues in parts of Iraq that were left unsecured and unresolved to the final moments, constitute clear examples of failure by the occupiers, in creating safety and security for the occupied. If the Shiites were dominant, and the Sunnis were unrepresented, then fairness and equality came into question. On the same token, there was a great issue with the fact that 2004 was a re-election campaign year in the US, and that allowing elections for a Shiite majority destined to win, and knowing the Shiites in Iraq are heavily influenced by Iran, would be

[112] Arato, A. (2009), p.115.
[113] Peter Galbraith was a constitutional adviser to the Kurds, during the making of the TAL and the permanent constitution.
[114] Galbraith, P, W. (2006) *'The end of Iraq, how American incompetence created a war without end.'* London, Simon and Schuster, p.138.
[115] Arato, A. (2009), p.120.

a nightmare result for the US population to consider during elections. Consequently, the delay of elections was timely, strategic, and clearly influenced by domestic elections in the Bush re-election campaign.[116]

Sistani knew this crucial factor, and it has to be said that not holding elections to prevent one outcome, or to avoid another is not democracy, and did not register as democracy with Iraqis either. Democracy as per Przeworksi, is a way of rule where any and every party can lose elections through the will of the people.[117] Therefore, there was a strong belief that the US and therefore the CPA desired a democracy with a certain outcome. This we can all acknowledge is not democracy; it is democracy that is regulated and democracy for self-interest with a fixed outcome.

The making of the TAL.

There are numerous interpretations about how the TAL was made, especially around notions that it was made in parts, and then merged together in processes. With regards to how the TAL was made, it was made in differing venues according to Arato, who has conducted a great deal of research on this. The drafting committee of the constitution was founded in December of 2003, with Adnan Pachachi as its head, the Pachachi Drafting Committee had produced at least one draft by January.[118] The second venue was the IGC, who according to Bremer, began to discuss TAL drafts and amendments very late,[119] but Crisis Group said that IGC had attended the drafting committee earlier, and that communication was good.[120] If there was a delay from the IGC, it is understandable, as they did not have constitution making experts to comprehend the issues, and were independent to the other venues.[121] However, in terms of religion, the IGC had comparative knowledge on state and religion, and discussions did take place on this matter. The third interpretation/venue is the idea that the TAL was actually written by the US experts in English, and then translated into Arabic. Galbraith said that the TAL was mostly written by US governmental lawyers, and Bush administration political appointees.[122] Larry Diamond who worked for the CPA, and was therefore an insider, said that the US drafters worked firstly on a draft submitted by the Pachachi Drafting committee. This had been translated from Arabic to English, where the first of two important Iraqi lawyers, Salem Chalabi translated and re-wrote the

[116] Chandrasekaran, R. (2006).
[117] Przeworski, A, (1991).
[118] Arato, A. (2009), p.139.
[119] Bremer, L. & McConnell, M. (2006), p.292.
[120] Crisis Group (2004) Iraq's Transition Crisis Group. *Crisis Group* Available from: https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/iraq/iraqs-transition-knife-edge (Date accessed 1st June 2017).
[121] Arato, A. (2009), p.140.
[122] Galbraith, P, W. (2006), p.139.

Pachachi draft, the other lawyer was Feisal Istrabadi. it should be noted that both Istrabadi and Chalabi were not constitutional lawyers.[123]

Diamond who played an important role stated there was a great deal of overlap in Bremer's Governance team, which acted as a constitution convention, and had five members, Diamond himself, Istrabadi, Chalabi, Irfan Siddiq and Roman Martinez.[124]
Bremer declared that a parallel track process would occur where *'the Governance Team will continue to work on details with the Arabs on the IGC while I tackle the difficult issues directly with the Kurds, then all parties would come together to hammer out an interim constitution that would withstand the stresses of sovereignty beset by a stubborn insurgency.'*[125] Diamond declared that these trips to Kurdistan by Bremer, occurred from January 2nd 2004, till the middle of February 2004.[126] Issues such as federalism were mentioned, Bremer wanted a unified Iraq especially in regards to the armed forces, where the Peshmerga were to be demobilized and part of the Iraqi army.[127] Although clauses were formed that enabled the Kurds to have their own language, and be in charge of its own region, at Baghdad's central government request, Peshmerga's could eventually be dissolved, but the Kurds would get control over their own resources of oil and water.[128]

The first evident issue in the forming of the TAL is that the Kurds had exclusive negotiating power with Bremer, and the CPA directly. This effectively marginalized the rest of the parties. Surely, participants in the drafting of the TAL should have all equally been consulted in one room, regardless of time issues. I believe this was a key reason why the finalized constitution became an influential source of separation for the Iraqi state, with the Kurds benefiting most. The Kurds benefitted due to their organization early on in the negotiations, and also their federal regional powers that allowed them to be independent. It seemed that the Kurds were the ones who negotiations were aimed at in terms of compromise and agreement, and the rest of the IGC had the terms imposed on them by the CPA.[129] Although ambitions of Kurdish statehood are ingrained in the Kurds (Kurds in Iraq have had Arabization imposed upon them since the Sykes-Picot agreement - see the introduction chapter), the fact that these concessions reached fruition without agreement and negotiation with all the parties, meant that the interests of many parties

[123] Diamond, L. (2006) *Squandered victory: The American occupation and the bungled effort to bring democracy to Iraq* (1st Owl Books ed.). New York, Henry Holt, pp.142-144.
[124] Ibid, pp.144-145.
[125] Bremer, L. & McConnell, M. (2006).
[126] Diamond, L. (2006), p.162.
[127] Ibid.
[128] Galbraith, P, W. (2006), pp.167-169.
[129] Arato, A. (2009), p.142.

were overlooked. On the same token, debate and negotiation with all parties; the Kurds, Shiites, and Sunnis could have led to undesired outcomes for the US. Single venue negotiations could have created a unity, in which they considered options that were in the best interests of Iraq, as one nation. I believe that separating the parties, forming agreements directly with one party (like Bremer did with the Kurds), and then bringing them together, was the foundation for a tug of war. An actuality occurred where decisions were not reflective of the long-term interests of Iraq, but instead the interests of individual sects and ethnicities. The Shiites who held fundamentally pro-Islamic principles, would be the ones who would contribute to the core of the complete negotiation process till the end. This involved the Shiites supporting the rights of the Kurdish region, and the respect for Islam and sect rituals of the Shiite. The secular Sunnis who were underrepresented and therefore unrepresented, would be the ones who became marginalized. The reality was that the Sunnis were the ones who believed a secular and unified Iraq, was the best option. It was no surprise or coincidence that what later became ISIS, began with insurgent Sunnis in Iraq who felt they were marginalized and did not belong to Iraq. It was from here that the Sunnis willed in despair to create a new state (to be discussed later in this chapter).

There were numerous ways of negotiation adopted by the Kurds, and their persistence for their cause was fueled by determination. Although they had their own demands that were well communicated because of their organization, they were also willing to go above and beyond to reach their goals. Despite Pachachi's draft that was inspired by secular nationalism, and opposition to the ethnic federalism or any separation or control determined by ethnicity,[130] the Kurds maintained their stance, and succeeded even when Washington intervened. Pachachi's draft was seen as short on detail, this was done deliberately so for the purpose of legitimacy democratically and legally. It was the best course of action fiven given the fact that it was just a draft, with an aim to provide a basis to build on.[131] However, the Kurds were very particular and specific in relation to the details that regarded them.[132] Diamond states that Washington told the Kurds they would have to accept federalism based on 18 provinces, and that regional power was not to be considered.[133] The Kurds replied with an article by Barzani on December 21 that anything less than their existing demands would not be accepted, and that the Kurds would resort to other options, as they were not willing to accept less than they had under Saddam.[134] The US was concerned that autonomy and regional independence may trigger Turkey to be unsettled,

[130] Ibid, p.155.
[131] Ibid, p.157.
[132] Crisis Group (2004) Iraq towards historic compromise *Crisis Group* Available from: https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/iraq/iraqs-kurds-toward-historic-compromise (Date accessed 1st June 2017).
[133] Diamond, L. (2006), p.162.
[134] Ibid.

with the Turkish Kurds wanting the same, and inevitably it would lead to the eventual dismantling of Iraq also.[135] When Bremer told Barzani on February 6th 2004, that all references to the Kurdistan Regional Government were to be taken out of the TAL, along with Kurdish being a second language, that is when the Kurds started to harden their stance.[136] The views of the Kurds submitted in the TAL were known as the "Kurdistan Chapter," which included acknowledgement of the region's supremacy within its own government, an acceptance that the Iraqi army could enter Kurdistan, and taxes could be collected with the permission of the Kurdistan National Assembly. The permanent constitution of Iraq would only apply in the Kurdish areas, if approved by a majority vote in the Kurdish region.[137]

This triggered the Shiites to respond with federalism, and also caused the Sunni's and secularist Arabs to attack ethnic federalism, on the basis of how this would divide Iraq. The Shiites were also inspired to request the same ethnic federalism that the Kurds wanted.[138] The arguments and debates for the Shiites were around regional powers, similar to the Kurds, and their influence came from the SCIRI to make sure Islam was in no way contradicted and would remain as the main source of legislation. The Shiites were so determined to enforce their needs, that they threatened to walk out on the day before the deadline at 2am. Therefore, negotiations went back and forth ending with the Shiites dropping their regional power ambitions, and also dropped Islam being the source of legislation. They instead accepted the compromise request of no law being able to contradict Islam, and also democracy.[139]

The Kurds still felt that the elected Constitutional Assembly could reverse all their provisions, so they brought a new set of demands to the table, including legal acceptance of the Peshmerga forces, along with demands for money, and the option to veto the ratification of the permanent constitution.[140] Galbraith, who advised the Kurds, said at this point Bremer told the Kurds that their last minute demands would threaten the US-Kurdish special relationship.[141] Bremer was forced to make things work, after appeasing the rest of the parties, and considering the fact that the deadline was to be adhered to. They reached an agreement, after Bremer called Rice at 3pm on the 29th to get the green light.[142] Arato states that the provision by the Kurds was discussed on the last day, and most of the text in the TAL had been already agreed upon, and the signed text

[135] Ibid, p.161.
[136] Arato, A. (2009), p.161.
[137] Galbraith, P, W. (2006), pp.166-167.
[138] Bremer, L. & McConnell, M. (2006), p.295.
[139] Ibid, p.299.
[140] Arato, A. (2009), p.170.
[141] Galbraith, P, W. (2006), p.140.
[142] Arato, A. (2009), p.171.

could not have included the ratification rule.[143] That night specifically, it was Islam that was discussed and compromised upon, the ratification rule was not even discussed.[144] Diamond adds to this in filling the gaps, where Bremer's account did not suffice. Diamond states there was a 72-hour struggle to conclude the interim constitution after delays.[145] Diamond, who was there made a case; that without considering or discussing what they voted for, the IGC adopted the changes that were made, and the TAL was complete.[146] Arato, in an interview with Haider Hamoudi, who was an expert legal advisor to the IGC, stated that Adel Mahdi from the SCIRI objected to the Kurdish ratification clause, stating Sistani would not accept it, and that he would need a days delay, however they moved on after Bremer asked him for an alternative which he could not provide there and then.[147] Allawi, on the other hand, states that Mahdi persuaded the other Shiites who had not done their homework, to proceed as they could not afford to dis-unite from the Kurds or the CPA.[148]

Evaluation of the TAL

The TAL process is controversial and questionable. The first question is: why did the TAL involve debates and discussion topics around the Kurdish region and Islam? Could all of these topics not have been saved for the permanent constitution making process? I believe that the TAL's main aim was to create the legal framework for building Iraq back on to its feet, and to bring some law and order to a time of struggle and insurgency. The issues crippling Iraq at the time when the TAL was made, were not around Kurdistan which was a safe haven since 1991, nor was it around the Shiite demands. The problems the TAL should have worked on to address, along with the rest of the IGC, should have been the daily problems that were taking US and Iraqi lives simultaneously. Under UNSCR, one of the most important roles of the CPA would have been to prevent soring violence,[149] immediately address the shattered infrastructure of no electricity or water,[150] and stop the looting,[151] to create safety and wellbeing for the occupied people of Iraq. Instead of doing what they were sanctioned to do, the ultimate power tug-of-war started. The lack of security on the ground hindered those working on the TAL, as unaddressed security problems were getting worse, making those writing the TAL think about themselves and their sect of

[143] Ibid.
[144] Ibid, p.172, and Bremer, L. & McConnell, M. (2006), pp.298-301.
[145] Arato, A. (2009), p.172.
[146] Diamond, L. (2006), pp.173-174.
[147] Arato, A. (2009), p.172.
[148] Allawi, A. (2007), p.223.
[149] BBC News (2004) Iraq Death Toll Soared Post-War, *BBC News* 29th October 2004. Available from: http://news.bbc.co.uk/2/hi/middle_east/3962969.stm (Date accessed 1st June 2017).
[150] The Guardian (2003) Lacking water and power, Iraqis run out of patience in the searing summer heat 16th August 2003 *The Guardian* Available from: https://www.theguardian.com/world/2003/aug/16/iraq (Date accessed 1st June 2017).
[151] BBC News (2003) Looters Ransack Baghdad Museum 12th April 2003. *BBC News* Available from: http://news.bbc.co.uk/2/hi/middle_east/2942449.stm (Date accessed 1st June 2017).

people, as opposed to the long-term interests of Iraq and its people. Here, the US, and CPA should have provided the security and stabilization in Iraq, that would have allowed meaningful negotiations to take place. Negotiations would have then focused on understanding and accepting equal power co-existence, in a unity that would have put Iraq's interests as a nation into more consideration. I believe that the dis-unity that came out of the TAL, with each party, predominantly Shiite or Kurdish, focusing on its own issues without consideration for the future of Iraq as one nation, was a great disaster of the TAL. Therefore, the process of the TAL was procedurally flawed, with unequal representation for all parties. Also, initially as mentioned, the intention was for the CPA to write the constitution with the IGC, however Sistani citing democracy, managed to divert the steering wheel.

In the next chapter, what the US and CPA were actually working on, in parallel to the constitution process will be examined. The focus of the US was more centered around privatization and making permanent changes to the economy and structure of Iraq, alongside appropriating the funds of Iraq. The rush and urgency from the US to make the Iraqis produce this constitution is also highly questionable again, as noted at the beginning of this chapter, constitution making is extremely difficult even in the best of times. Why impose constitution making in such (post-sanctions, post-war) circumstances? It has to be noted that there is nothing seemingly detrimental to the running of Iraq in the existing constitution of 1971, therefore, there is no immediate and urgent need to write a constitution. The only perceivable detriment is the fact that the constitution of 1971 is socialist constitution, and completely forbids privatization. In particular, it prohibits anyone non-Iraqi owning capital in Iraq, this is the only reason that can be seen as detrimental to US interests, leading to a call for reform, and remaking of the constitution. The situation on the ground in Iraq was completely impartial to the constitution, this is something the next chapter will illustrate.

Permanent Constitution

Having examined the processes of the TAL, which was to be a foundation for the permanent constitution, the next segment to examine, is the drafting and creation process of the permanent constitution. Iraq's Transitional National Assembly was elected in January 2005 as per the TAL and appointed a constitutional committee that would draft the constitution by August 15 2005. The Transitional National Assembly appointed a committee of 55 people to write the draft, where work on the draft started 13th June 2005. The drafting committee was selected based on a quota system, of which 28 were Shiite, 15 Kurdish, 8 from Ayad Alawi's al-Iraqiya list (which had 4

Shiites, a Christian, a Turkoman, a Communist and a Sunni).[152] A month after the drafting process had started, Sunni objection forced reconsideration by the IGC, and 14 Sunnis were added.[153] The first problem started from Sunni exclusions in the January elections that were held to select the constitution committee, as per the TAL's clause inspired by the fatwa's of Sistani. In Sunni dominated areas to the north and west of Baghdad, elections had failed, In Ramadi, only 6 people voted at one polling station, in Dhuluyah near the Tigris River, 8 polling stations never opened, as insurgents threatened voters to stay away from the polling stations.[154] The fact was that pre-2003, Sunnis as a minority had been well represented in Saddam's Ba-athist government, and felt that a CPA election could be fixed and illegitimate.[155] Simultaneously, there was a great deal of threat and intimidation of Sunni Arab voters by the insurgency, which meant that only 17 Sunni Arabs were elected to the 275 member assembly, which is low compared to the proportion of Sunnis in Iraq which is around 20 percent.[156] The organized Kurds on the other hand won 75 seats, and the Shiite United Iraqi Alliance won 140, which was a majority that gave the Shiite the ability to write the constitution without any other political groups.[157] However, Sunni Arabs were crucial in the long run, as article 61C of the TAL states that the referendum to ratify the constitution, will only be successful if the majority of its voters in Iraq approve, and if two-thirds of the voters in three or more governorates do not reject it. Therefore, if the Sunni exclusion continued and the constitution was completed, it may cause issues at the ratification stage, therefore Sunni inclusion was paramount. The complaints by the Sunni Arabs were scattered on issues like Islam being a fundamental source of legislation, clerics thought it was not enough, and secularists thought it was too much religion.[158] The Sunnis also rejected regional control, especially in terms of petroleum, and wanted more Arab identity in Iraq, and also opposed the provisions condemning Ba-athism.[159]

These objections were met by other party objections, such as Ayad Alawi opposing regional federalism, influential Shiite clerics Moqtada al-Sadr and Ayatollah Mohammed al-Yaqoubi thought the draft may cause issues of hostility towards the Iranian ties of the SCIRI, and other women and ethnic minorities opposed the draft because it did not project their rights and

[152] Jawad S, N. (2013) The Iraqi Constitution: Structural Flaws and Political Implications. *LSE Middle East Centre, London. Paper Series / 01*, p.10.
[153] Ibid.
[154] Chandrasekaran, R. (2006), p.330.
[155] Morrow, J. (2005) Iraq's Constitutional Process ii - *United States Institute of Peace*. Available from: https://www.usip.org/sites/default/files/sr155.pdf (Date accessed 1st June 2017).
[156] Ibid.
[157] Ibid.
[158] Ibid.
[159] Ibid.

interests.[160] Again, one of the fundamental issues that proved dominant and detrimental, was time issues; which led to criticism of the procedures. Although drafting started on the 13th of June, the Sunni members were not added until late June. The constitution drafting committee had elected Sheikh Humam Hamoudi to chair the committee, with experts in constitution commissions from South Africa, Albania, Kenya, Aghanistan, East Timor and elsewhere being present. Hamoudi agreed to bring Sunni Arab members in, and make decisions through consensus.[161] The first meeting where the additional Sunni members were present was on July 8. Further complications arose when on July 19th Sheikh Mijbil Issa was assassinated in Baghdad's Karrada, which made Sunni Arabs suspend their membership until higher levels of Security could be provided by the government. The deadline set by article 61G of the TAL, was 15th August, and had to be met. The US made it clear that any extensions of this deadline would cause displeasure with the US, again creating an environment that did not allow for quality and meaningful time regarding a constitution that would dictate the future of the Iraqi state.[162]

Delays dramatically led to a scrapping of the drafting committee on August 8th, which had already brought the Sunnis in late. The Sunnis had only participated in meetings for a month, and instead the ILC of former exiles took over the process.[163] The ILC held meetings privately between the Shiites and the Kurds, which the Sunnis were not a part of, despite the Sunnis frequently requesting attendance.[164] The Sunnis would then have a text produced by the Kurds and Shiites, and would be consulted at the referendum. Despite an insurgency that caused the US to re-think its decision-making, this did not prevent the original US-backed Iraqi elites from having the final say on Iraq's constitution. Therefore, Iraq's constitution did not represent the will of Iraq's majority population but instead an elite minority who were previously backed by the US. Here the US achieved their will to have the constitution written by Iraqi elites who they supported into the IGC.

However, to keep the Sunnis hopeful, and because US officials thought that Sunni voters could reject the constitution, a clause in the form of Article 142 of the constitution was inserted, stating that amendments could be made within 4 months after the constitution is created. So later near the referendum time, Sunni officials were advised 48 hours before the referendum, by the Islamic Party head Tariq al-Hashimi, to vote 'Yes.'[165] Although it was not clear what inspired these

[160] Ibid.
[161] Ibid.
[162] Ibid, p.9.
[163] Ibid.
[164] Ibid.
[165] Jawad S, N. (2013), p.19.

changes, Arato states that it was desire by Sunnis to be in the new government, and pressure from the US.[166] As this chapter will elaborate later, as soon as the constitution was approved, requirements for amendment were put through.

According to the TAL article 61F, a potential 6 months extension could be granted if the correct procedure is followed to request an extension for writing the constitution. This must be through the president of the National Assembly. The difficulties meant that calls for extensions were sent by the Kurds, Shiites and other minorities. Alongside this the *National Democratic Institute* made a case that the most of Iraq held reservations about the rushed and hasty constitution process.[167] Sheikh Hamoudi, who was the chairman of the committee, had also indicated that he wanted to extend the deadline on July 31st, however Zalmay Khalilzad the new US Ambassador maintained that the August 15 deadline must be met.[168]

Timings were playing a huge role in slowing down processes, as were the committee and the methods used. In addition, negotiations were also scattered and ambiguous, meaning that not everybody on the committee understood what was going on. In practice and theory, if a way had been made clear from the outset, possibly with more time being provided, then Sunnis would not have been overlooked, and then drafted in late. Negotiations would have produced results that were more representative, through drafters who could have made better decisions regarding the clauses. The argument also stands as quite the opposite, that maybe differences would not have been reconciled between the differing sects. The close negotiations between the Shiites and the Kurds, resulted in the Shiites pushing for a southern federal unit, that matched the Kurds in the North. The Sunnis rejected this, due to its perceived detriment to a unified Iraqi nation, and the possibility of splitting the Sunnis between a Shiite and Kurdish regional rule.[169] Speculation had arisen that the Sunni Parties wanted to purposely neglect the deadline, to get the whole process restarted as per the TAL guidelines. Another reason for friction was that the Sunnis brought a great deal of technical constitutional expertise to the table, through appointing a professional class of lawyers, who were kept away from constitutional negotiations. The Sunni insurgency was also making statements on the ground in violent and destructive ways, in an Iraq that was rapidly deteriorating in terms of security, amongst other things. A *National Democracy Institute* survey indicated that federalism is seen by the Sunnis to mean separation, and the UN Office for Project Services in July 2004 provided research that the 51.7% of Sunni Arabs believed federalism would

[166] Arato, A. (2009), p.244.
[167] Morrow, J. (2005), p.10.
[168] Allawi, A. (2007), p.397.
[169] Morrow, J. (2005), p.11.

lead to division, and that 46.8% believed it would lead to civil war.[170] It turns out that all parties were lacking real understanding of each other, each thinking individually and hence causing the deadline not to be met. Thus, the premature, hastily crafted arrangements that were made without input from the Sunni Arabs, would have naturally needed more time to develop. This all occurred under the watch of the US and the CPA, the reason for their omission will be established later in my study.

The Kurds had remained united and firm, proving to be the most organized from the beginning, having areas that they would not compromise on (mentioned above in the TAL). They even received advice from Peter Galbraith, and University of Maryland professor Karol Soltan.[171] Another issue was with Galbraith himself. Galbraith encouraged the Kurds to persist in the demands of an autonomous Kurdish region, that could do business with its own oil reserves. It later turned out through an article by *The New York Times* that Galbraith was a board member on a Norwegian oil company, which was one of the first to receive a contract in Kurdistan.[172] "The idea that an oil company was participating in the drafting of the Iraqi Constitution leaves me speechless," said Feisal Amin al-Istrabadi, who was principal drafter of the constitution. Istrabadi said that the oil company "has a representative in the room, drafting."[173] However, Galbraith replied with "So, while I may have had interests, I see no conflict."[174] Having helped Norwegian firm DNO get exploration rights, Galbraith made $55-75 million in the process.[175] The Shiites did not have international negotiators like the Kurds, but were very organized. For their inspired ambitions of federalism, SCIRI leader Abdul Aziz al-Hakim was able to mobilize large demonstrations in the South, in the name of federalism.[176] Apart from a secular and unified Iraq, the demands of the Sunnis were never put in constitutional strategic clauses or drafts, and therefore struggled to compete in the power tug of war.[177]

The role of the UN

The role of the UN in this process was also questionable, as individuals like Nicholas Haysom from the UN Assistance Mission in Iraq, was sent to support the committee in May. The UN was slow to assemble its team, as it had done in East Timor and Afghanistan previously, and had failed to

[170] Ibid, p.12.
[171] Ibid, p.13.
[172] New York Times (2009) US advisor to Kurds Stands to reap oil profits By James Glanz and Walter Gibbs Nov. 11, 2009 *New York Times* Available from: http://www.nytimes.com/2009/11/12/world/middleeast/12galbraith.html?mcubz=1 (Date accessed 1st June 2017).
[173] Ibid.
[174] Ibid.
[175] Reuters (2010) Update-3-DNO faces big pay-out to ex-U.S. diplomat October 6th 2010 *Reuters*. Available from: http://uk.reuters.com/article/dnointernational-idUKLDE6950CA20101006 (Date accessed 1st June 2017).
[176] Morrow, J. (2005), p.13.
[177] Jawad S, N. (2013), p.11.

deploy experts that were needed.[178] The Iraqi government did not issue requests, in the form of invitations to the UN until June, and when they did come, they spent time educating and spreading ideas about the benefits of federalism in multiethnic states. By the time the Sunnis were beginning to understand the process of constitution making, through studies in the Spanish constitution, the committee was dissolved on August 8th.[179] By this time, UN officials worked with Sunni Arab negotiator Saleh Mutlaq, on the National Dialogue Council, to reconcile the Sunni position with the Shiites and Kurds.[180] The UN position by this time was weakened, and due to US intervention in the negotiations, the UN role was limited and often unacknowledged, lacking enforcement measures.

US Presence and Influence in the Constitution

The US initially maintained a distance from the constitution committee, however things changed once the constitution writing committee was dis-assembled and the finishing of the constitution was left to the original ILC. Once the committee had been dissolved, the US Ambassador attended meetings held at the US Embassy, where the push for meeting deadlines were thorough.[181] The demands to meet the deadline of August 15th were so firm, that the US Embassy even circulated its own draft constitution in English.[182] After influential leader of the SCIRI had demanded that a Shiite super region be created through popular demonstration, President Bush himself called SCIRI leader Abdul Aziz Al-Hakim, raising concerns again of US influence in constitution writing by the Sunnis.[183]

Illegality by the assembly

Having been pressured to meet the deadline by the US, the National Assembly missed the opportunity to request an extension on August 1st, as noted above. However, a series of illegal decisions then took place which overlooked the TAL, and made the whole process illegal and void, as per the guidelines of the TAL. On August 15, which was deadline day, a one week extension was requested and legally legitimate. However, the new formal deadline day of August 22nd came and went, where illegal extension provisions were then made.[184] The constitutional text was finally announced as complete on August 28th, but it was actually a new text that was brought to

[178] Morrow, J. (2005), p.14.
[179] Ibid.
[180] Ibid.
[181] Ibid, p.14.
[182] Ibid, p.15.
[183] Arato, A. (2009), p.232.
[184] Ibid, p.240.

the National Assembly on September 13th.[185] The issue was that the deadline could only be extended once legally, if the National Assembly was notified no later than 1st of August as per article 61(F), if an extension is needed. In this situation there was a violation, as the extension was given on deadline day, which is not acceptable, and triggers the missing of deadline day as per article 61G. Article 61G states if deadlines are not met, and an extension is not requested - which in this case it was not, as the deadline granted the second time had already been ignored and passed, article 61E then comes into effect. Article 61E is triggered (through article 61G), which states that the National Assembly needs to be dissolved, and the whole process starts again, within a one year time frame for writing the permanent constitution. This entire process, as stipulated by the TAL was overlooked rendering the whole process illegal. This again warrants the mention of time, had the US been realistic with its deadlines, then the National Assembly would have not been in a position to act illegally. The lack of autonomy and inadequate working-time frames that were imposed, inspired by US domestic elections, meant the whole process was flawed, creating unfair playing fields. Therefore, merely on procedural grounds, the constitution process is illegal as per the TAL. This begs the question of how the US could witness such a process and allow it to take place? How can the exporter of democracy be unresponsive in witnessing such disregard for law and order? The next chapter establishes clearly; that constitution making was a distraction and diversion, from a greater aim of privatization. If the constitution making of Iraq was as important as stated by the US, and democracy promotion was the real basis for the intervention, then democratic means would have been imposed, however this was not the case.

Referendum to ratify the constitution

Despite all of the illegalities, the constitution draft was approved by Iraq's Transitional National Assembly on Sunday 18th September and put forward to the UN Assistance Mission for Iraq, which was to be published throughout Iraq for the referendum that took place on 15th October, as stipulated by the TAL.[186] The referendum witnessed the draft approved with 78.59% of the voters voting 'Yes.'[187] Two provinces voted 'No' in Sunni areas of Salah al-Din, with 96.96% for 'No' and al-Anbar with 81.75% also for 'No.'[188] Evidence of Sunni Arabs supporting the constitution were in Ninevah, where the 'No' vote was as low as 55.01%, and in Diyala where 'No' voters amounted to

[185] Crisis Group (2005) Unmaking Iraq: A Constitutional Process Gone Awry *Crisis Group* Available from: https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/iraq/unmaking-iraq-constitutional-process-gone-awry (Date accessed 1st June 2017).
[186] Morrow, J. (2005), p.3.
[187] Jawad S, N. (2013), p.14.
[188] Morrow, J. (2005), p.3.

48.73%.[189] Problems with the legitimacy of the voting arose, where those who were against the draft stated that the delay in announcing the results, indicated a potential manipulation of the results.[190] The head of the Iraqi parliament, Dr Mahmood al-Mashehadani spoke out publicly about how voting was rigged in Ninevah.[191] However, the elections chief of the UN, Carina Perelli audited the election process, and the audit of the results were passed by the UN.[192]

As per article 142 of the constitution of Iraq (mentioned above), as soon as the constitution was approved, demands for its amendment were made by the Sunnis. The Sunnis called for international support to block the constitution, because they had not agreed with it in the first place.[193] Other organized Sunni groups of academics and politicians brought forth demands that suspended the implementation of federalism, demanding clauses that gave central government the ownership of natural resources, repealing De-Ba'thification and prevented any region annexing Kirkuk.[194]

In September 2006, outside of the 4 month period allowed by Article 142 of the constitution (which was a provision time for amendments), another committee was established which convened in December 2006, with its 29 members.[195] This committee was then given 4 months to present suggestions, and it ended up presenting over 50 amendments, with certain amendments needing further discussion with major political blocs.[196] Even Prime Minister Nouri al-Maliki in 2008, started to voice concerns, stating the constitution was drafted in a 'too fast for consideration' manner, that the quota system was overwhelming, and that decentralization should not be dictatorship, as the federal region system has confiscated the state.[197] Three years later, the al-Iraqia political party called for amendments, as they wanted to curb al-Maliki's powers, only the Kurds have been happy and adhering to the constitution, which in turns gives them autonomy.[198]

[189] Ibid, p.3.
[190] Jawad S, N. (2013), p.14.
[191] Ibid.
[192] NBC News (2005) Iraq Draft Constitution Approves, Officials say *NBC News*. Available from: http://www.nbcnews.com/id/9803257/ns/world_news-mideast_n_africa/t/iraq-draft-constitution-approved-officials-say/#.WXMXiMaQ0_U (Date accessed 1st June 2017).
[193] Allawi, A. (2007), p.401.
[194] Morrow, J. (2006) Weak Viability: The Iraqi federal state and the constitutional amendment process. *USIP special report*. Available from: https://www.usip.org/publications/2006/07/weak-viability-iraqi-federal-state-and-constitutional-amendment-process (Date accessed 1st June 2017).
[195] Jawad S, N. (2013), p.20.
[196] Ibid.
[197] Ibid.
[198] Ibid.

However, no amendments have been made, as it proved near impossible, to amend the clauses which are most controversial. The most fundamental aspect is the issue of the Kurdish region, which no amendment can touch or reach, due to the wording of the constitution in article 126. Article 126 states the Kurdish region can only make changes through approvals and referendums within its own region.

Controversial Constitution Clauses

Aside from the process and procedural flaws of the constitution, and the actual clauses of the constitution, there are both positive and negative clauses. The noteworthy, and positive clauses are in Article 2, which states; that no law that contradicts the established provisions of Islam can be enacted, no law can be enacted that contradicts the principles of democracy, and no law can be enacted that contradicts the rights and basic freedoms stipulated by this constitution. It creates an Iraq that acknowledges formally, the identity of languages in its borders, with Kurdish becoming an official language, alongside Arabic in Iraq, as per article 4. Under Section Two, Article 14 of the constitution, rights and liberties are awarded to everyone, regardless of gender, race, ethnicity, nationality, origin, color, religion, sect, belief, opinion, and economic or social status. Article 15 awards every Iraqi the right to enjoy life, security and liberty, and Article 16 gives all Iraqis equal opportunity. There are many positive aspects theoretically, as mentioned. However, the constitution and democracy in practice will be measured later in this study (Chapter 6). I will now focus on the controversial aspects of the constitution, these outweigh the positive outcomes of the text.

Division through Sect and Ethnicity

A constitution is meant to unify people within the borders of which it aims to serve. The 'Preamble' of the constitution, seems to divide and remind the people of Iraq about their differences, especially when referencing 'Mesopotamia,' 'we the people of Mesopotamia' as opposed to 'we the people of Iraq,' which comes later in the 'Preamble.' Reading the preamble, creates an impression of a divided place that cannot be referenced as Iraq. The current borders as per Sykes-Picot agreement (see introduction) dictate that the nation is known as Iraq, not Mesopotamia. Also in addition to this, the reference to tragedies, both historic and recent, in terms of 'sectarianism' is referenced, which again has a division-causing element to it. After the 'Preamble,' there is further mention of sect, which historically has not been brought up in Iraq. Article 43 directly refers to a particular sect, directly mentioning the freedom to practice 'Husseini

Ceremonies of the Shiite.' If one sect is to be mentioned, then what about the other sects? Why does one sect get a mention, and the others do not? This can make Iraqis that do not belong to the mentioned sect feel isolated and marginalized, as opposed to unified. Article 41 has allowed a separate creation of personal status courts, according to particular sects or religions, again referencing sect and thus, causing potential division.

Islam and its contradiction with the constitution

The first part of Article 2, states that Islam is the official religion of the State, and is a foundation source of legislation, and that under subheading A, no law that contradicts Islam may be established. When you connect Article 2, with the 'Rights and Liberties' section from Article 14-46, any liberties in this section can be made redundant and cancelled, if it is deemed to contradict Islamic values.

Regional Federalism

When there is a dispute between a region that has its own sovereign laws, for example the Kurdish Region, and this local law happens to contradict the central government of Baghdad, the regional power has the authority to overrule as per Article 121, 2 and 126. The Kurdish federal region had its own laws and constitution made when the Iraqi constitution was passed via majority vote. However, due to the ambiguity of the new constitution of Iraq, regional powers are not bound by central government laws in instances where the regional law contradicts the federal law. This therefore means that the regional laws prevail over the laws of the central government.

On the same issue, Article 121, 4, states that regions and governorates shall establish office, embassies and diplomatic missions, to develop socially and culturally. This could mean that regional powers have the authority to do as they please, in terms of business, and particularly natural resources, which occurred later on in Iraq (Chapter 6).

The Kurdish region gets 17% of the national budget, and as a regional power can sell its own oil and gas also, whereas, Thi Qar province who also asked for federal status, only gets less than 1% of the national budget.[199] After complaints of inequality, central government drafted a new law for oil and gas, where it wanted to remove the special privilege of the Kurds, however the Kurdish Regional Government rejected the idea, and threatened to withdraw from government.[200] As per the constitutions ambiguity, the Kurdish Region could act and do as it wishes regardless of the will

[199] Ibid, p.17.
[200] Ibid.

of Baghdad. This creates scope, and potential for future disagreements, especially in times of crisis. It was this same dis-unity that caused the Kurds to initially not help central government in the fight against ISIS, over a decade after the constitution was made.

Conclusion

In answering the question of whether the constitution making process of the occupation constituted genuine democracy promotion by the US or whether it was a cover for the self-serving agenda of US elite decision-makers, a summary of the legal implications are needed. As mentioned at the beginning of this chapter, when the UNSCR is applied literally, the US has violated international laws as the US did not have the authority to re-write the constitution of Iraq or to enforce a temporary constitution that over-rides it. In such a case, elites violating international law are not serving the interests of the Iraqi people. However, after looking at the debate around the difficulties in applying the international law to the unique occupation of Iraq, I gave the US the benefit of the doubt, and stated that re-writing the constitution was needed to achieve the greater purpose as sanctified by the UNSCR. I also stressed that the aims of international laws of occupation need to be acknowledged. International law aims to safeguard domination by a foreign power, so the subject nation does not face detrimental consequences and that its sovereignty is respected. Regardless of the ambiguity in international law, the occupier must acknowledge the foundational purposes these laws. This involves condemnation of self-serving imperial power where the occupier prioritizes its own interests at the expense of the occupied, and most importantly seeks to enforce respect for occupied people and their sovereignty. I opted to examine the constitution making process, and to judge this alongside the violation of international law to examine whether the ends justified the means.

In terms of this constitution and its two-stage process, I believe that the way processes were conducted, and allowed to be conducted by the CPA, speaks volumes for the intentions of the occupiers. Firstly, the question of time arises. Why was there such a rush? Why was the most important part of the Iraqi state, being the constitution rushed? Why were issues of territory and regional sovereignty the priority and pinnacle of all the negotiations, as opposed to ways for a unified Iraq to proceed? How was an oil company interest holder allowed to sit on a drafting panel?

Additionally, it must be noted that the US had pre-selected a diverse group of Iraqi elites, intending that these Iraqi elites re-write Iraq's constitution and be handed power to govern Iraq. Despite an insurgency that caused the US to re-think its decision-making, this did not prevent the

original US-backed Iraqi elites from having the final say on Iraq's constitution. Therefore, Iraq's constitution did not represent the will of Iraq's majority population but instead an elite minority who were previously backed by the US. The whole constitution making process as covered in this chapter has been a personification of an un-organized, and poorly planned initiative, which became a foundation for the chaos in Iraq.

I believe that in terms of time, the US had dedicated and sacrificed a great deal of money, and man power into the invasion. In addition, there was controversy regarding the reason to invade regarding weapons of mass destruction, which was all proved to be non-existent later on. Because of this, the US had to quickly provide some positive and progressive reports on its 'self-proclaimed' success in Iraq. As each day progressed after Saddam was ousted, the situation deteriorated. One of the leading outcomes of the constitution making process in Iraq, was the insurgency of Sunni Arabs who never had their status in the future of Iraq acknowledged, provisioned, or guaranteed, instead losing interest in the idea of the unified nation that Iraq once was.[201] This Sunni group eventually became ISIS also known as Islamic State of Iraq and the Levant (ISIL), and it appealed to Sunnis by stressing unity and inclusion, through a phenomenon that has caused bloodshed and mass chaos in the name of its goals.

Elite disagreement tactically, Consensus over the grand vision

The disagreements caused between elite decision-makers forced them to make adaptations in their decision-making in numerous periods of the constitution making process. Elite disagreement between US decision-makers existed regarding the removal of Garner, Bremer's chain of communication, the Iraqi elite that the US wanted to govern Iraq, the formation of the IGC and Sistani's objections to the constitution making process. However, despite US intra-elite disagreements in Iraq, the disagreements were tactical and concerned the smaller details regarding the execution of their agenda. There was indeed consensus amongst US elites over creating a new constitution to facilitate the fundamental vision for Iraq becoming a free-market democracy. Therefore, it must be noted that elite disagreements were tactical and not fundamental, enabling US agenda in Iraq to effectively be served.

Additionally, the US achieved its goal of having Iraqi elites that they had previously worked with write Iraq's constitution. Therefore, Iraq's constitution did not represent the will of Iraq's majority population but instead an elite minority who were previously backed by the US. Here the US

[201] USIP (2005) Who are the Insurgents? Sunni Rebels In Iraq *USIP Special Report*. Available from: https://www.usip.org/sites/default/files/sr134.pdf (Date accessed 1st June 2017).

achieved their will to have the constitution written by Iraqi elites who they supported into the IGC.

I also believe that the best way for the privatization to take place in Iraq, was for the parties and sects to be divided, and for this they needed to be reminded of their differences. Otherwise, realistically, a unified Iraq would not easily change its system of socialism, in which it has thrived in for centuries. The US mobilization of content in the constitution, that became the center of negotiations by the differing sects, took the focus away from what was taking place in the background. This was the short and long-term serving of US elite interests which will be examined in the next chapter. The attempts to fight for one's sect witnessed each party pulling its own unique last-minute stunt or request, whilst in the meantime they missed a big Article that defined the purpose of the war: 'Article 24'.

Article 24 explains that the state shall guarantee the reform of the Iraqi economy in accordance with modern economic principles, to insure the full investment of its resources, diversification of its sources and the encouragement and development of the private sector. This is another ambiguous clause, but it speaks critically in terms of what the intentions of the US elite decision-makers were behind the imposed constitution making process in Iraq. Article 24 makes a big case for reform of the economy, in a divided Iraq where the Kurdish Region can literally do as it pleases, with its foreign friends in the West willing to happily privatize its natural resources, without question or consideration. However, a unified Iraq, that thought for the future of its people, would protect that which belonged to those in which live within its borders. The division made it very straight forward, and also unseen by the naked eye, what was actually taking place. This was the pillaging of money by the CPA, the contracts that were awarded which shocked the Iraqi economy, and how all this along with de Ba-athification and high unemployment, meant that the transition to capitalism would be not just accepted, but instead embraced with open arms of desperation. This was what the US intended as the next chapter will show, however what was intended did not reach fruition. Instead, the complete opposite happened, the Iraqi people understood what was happening, and rebelled. Instead, Iraqis made the whole process of transitioning Iraq into a nightmare.

Therefore procedurally, the constitution making process was a divisive distraction intended attempt by the US elite decision-makers. In using the occupation of Iraq to serve their narrow interests, the US elite decision-makers intended to benefit economically from Iraq by privatizing

its economy and rebuilding it through using mainly US corporations, which the next chapter (Chapter 5) will discuss. The focus in the next chapter will be the analysis of the CPA's decisions in Iraq, and Iraq's missing money. Otherwise why select such a moment to form a constitution, and how was it allowed that such procedural flaws took place? The democracy chapter of this study will look further into the practical value of this constitution, to establish in practice what democracy in Iraq was really like.

Chapter 5: Elite Decisions in Iraq CPA Case Study 2.0: Decisions to transform Iraq's economy, contracts awarded and missing money

Proceeding from the previous chapter on the process of making the constitution of Iraq, we will now examine the decisions of the CPA in Iraq, which took place simultaneous to the making of the constitution. Whilst everything indicated in the previous chapter was taking place,[1] the CPA simultaneously took decisions in Iraq, which need to be acknowledged, analysed and understood. The US brought in 100 laws directly from Washington (to be discussed further in this chapter), which were enforced by the CPA, these laws were known as the 'CPA Orders,' and were the basis for many decisions and processes that took place in Iraq. George Bush set the criteria in terms of what was expected of the US in Iraq, stating that the CPA would establish *"an orderly country in Iraq that is free and at peace, where the average citizen has a chance to achieve his or her dreams*."[2]

I set expectations on the Bush elite (see Chapter 3) in terms of their decision making in Iraq. One of these expectations was for the US to promote a free-market democracy in Iraq. I emphasized that the market would be free, yet decisions would be made democratically in terms of the election of the government through free and fair elections. I set the expectation that the US would transform Iraq's socialist economy through privatization policies, and that simultaneous to making the constitution (Chapter 4), other key decisions that the US took on the ground would also be influential in shaping Iraq's future and serving US interests. This chapter will now examine the empirical evidence to measure my expectations against the reality that took place on the ground.
The focus of this chapter will be to look at the orders of the CPA, to assess, understand, and examine whether these orders were for the benefit of the Iraqi people, or the benefit of US elite decision makers, or both. I will be examining whether ulterior motives of elite narrow interests, which included embedded US economic and corporate interests, were the basis of the decisions as opposed to genuine democracy promotion with the interests of the Iraqis at the forefront.

A note on consensus and contestation amongst the elite:

As mentioned in the previously (Chapter 4); elite theory posits that a small minority from an economic elite, dominate domestic and foreign policy in the US. Although the dominant feature

[1] With regards to forming the Iraqi Governing Council (IGC), taking a two-step constitution making process through the Transitional Administrative Law (TAL) and then the drafting and finalization of the constitution.
[2] Bush, G, W. (2003) President Names Envoy to Iraq Remarks by the President in Photo Opportunity After Meeting with the Secretary of Defense - May 6, 2003 *The White House Washington* Available from: https://georgewbush-whitehouse.archives.gov/news/releases/2003/05/20030506-3.html (Date accessed August 10th 2017).

within this group is consensus in decision-making, contestation and disagreement can also exist amongst elite decision-makers as previously illustrated in the constitution making process. It is important to highlight again that Lewis Paul Bremer was interviewed and approved by Bush, Rumsfeld and Powell for his appointment.[3] For the purpose of elite theory, in the rest of this chapter it is crucial to note that due to the interviewing and approval from the President (Bush), Department of Defense (Rumsfeld) and Department of State (Powell), Bremer's decision making going forward represents a greater unity amongst the four elite decision makers regarding the strategy of US decision-making in Iraq. The illustrated unity between the four decision makers represents a greater unity amongst the majority of our decision-makers as a collective. This is because the heads of the Department of State and Defense are in concurrence with the President which is illustrated in their contribution to the interviewing and selection process of the viceroy. It is important to therefore note that Bremer - who is the most authoritative figure in Iraq - is not merely representative of a segment of the elite like Jay Garner was, instead he represents the majority and is therefore the face of the elite decision-makers in Iraq.

Legal Obligations as per International Law

As mentioned previously, the US, and therefore the CPA, were acknowledged as occupiers through United Nations Security Council Regulations (UNSCR) 1483 on the 22nd of May 2003. The US were consequently given responsibilities, obligations and regulations to adhere to, through The Geneva Conventions of 1949 and The Hague Conventions of 1907.[4]

The UNSCR 1483 also required that a Development Fund for Iraq (DFI) be made, and held by the Central Bank of Iraq, under the monitoring of the International Advisory and Monitoring Board (IAMB), through auditing by approved public accountants.[5] The DFI must be used at the discretion of the CPA, in consultation with the Iraqi Governing Council (IGC), in a transparent manner to meet the *"humanitarian needs of the Iraqi people, for the economic reconstruction and repair of Iraq's infrastructure, for the continued disarmament of Iraq, and for the costs of Iraqi civilian administration and for other purposes benefiting the Iraqi people."*[6]

Here we have a clear understanding that the CPA should only use the resources in the DFI for the services of the Iraqi people, and the way the resources are spent by the DFI will be accounted for by

[3] Allawi, A. (2007) *The Occupation of Iraq*. Yale University Press, p.107.
[4] The US and Britain were acknowledged as occupiers, but as mentioned in the previous chapter, it was the US through the CPA who actually did the occupying.
[5] UNSCR Resolution 1483 (2003) Section 12 *UNSCR* Available from: http://unscr.com/en/resolutions/doc/1483 (Date accessed August 10th 2017).
[6] UNSCR Resolution 1483 (2003) Section 13 and 14 *UNSCR* Available from: http://unscr.com/en/resolutions/doc/1483 (Date accessed August 10th 2017).

the IAMB. This chapter will assess the spending by the CPA, including the awarding of contracts for work that was carried out in Iraq.

The method for this chapter will be to assess the following orders and decisions of the CPA. The orders begin with CPA Order Number 1; De-Ba'athification of Iraqi Society (May 16, 2003), CPA Order Number 2; Dissolution of Entities (May 23rd, 2003), CPA Order Number 12; Trade Liberalization Policy (June 8th, 2003), CPA Order 39; Foreign Investment (December 20, 2003) together with CPA Order 46; Amendment of CPA Order 39 on Foreign Investment (December 20, 2003), CPA Order Number 17; Status of The Coalition Provision Authority, MNF-Iraq, Certain Missions and Personnel in Iraq. (June 27th 2004).

As the highest-ranking civilian administrator of Iraq, Paul Bremer had the ability to exercise supreme executive, legislative and judicial powers.[7] Bremer exercised these powers through decrees, in which there were four types; '*Regulations'* (these defined institutions and authorities), *'orders'* (these were directives to the Iraqi people creating penal consequences that altered Iraqi law), '*Memoranda'* (these expanded on orders and regulations by creating or adjusting procedures), and *'Public Notices'* (which communicated the intention of Bremer to the public or reinforced parts of already existing laws that the CPA intended to enforce).[8] The orders were effectively alterations to the Iraqi laws, and therefore, a new set of penal codes, which defined the parameters and boundaries for the Iraqi people, whilst under occupation. The laws covered issues ranging from traffic codes, border enforcements laws, to the privatisation of the economy.

There were one hundred orders in total, however I will only focus on the ones mentioned for two reasons. Firstly, because the orders mentioned were most important to the US elites, and therefore were directly related to the US agenda in Iraq, and had the most impact on the Iraqi people directly. Secondly, I have selected the specific mentioned orders, as the effect of the orders are measurable through the coverage available. It has to be stated that the majority of the one hundred orders, remained insignificant in terms of impact in Iraq. This is partly because enforcement was logistically not possible given the ongoing security issues. This therefore meant that only selected orders became enforced. This suggests that the orders which were given priority reflected US agenda in Iraq and creates a need for further analysis in this study.

Origins of Bremer's Orders: Unity amongst elite decision-makers

[7] Dobbins, J., Jones S.G., Runkle, B., Mohandas, S. (2009) *Occupying Iraq – A History of the Coalition Provision Authority*. Rand National Security Division, p.14.
[8] Ibid, p.15.

Although we know that Bremer issued the orders, where they came from directly is unclear, as existing studies fail to provide adequate detail regarding the origins of the orders. However, Bremer in his book, provides some insight into how CPA Orders 1 and 2 came into fruition. Bremer illustrated that the origins of CPA Order Number 1 (De-Ba'athification of Iraqi Society), came from a memo by bellow elite decision-maker Rumsfeld on the last day of his preparation, before Bremer left the Pentagon for Iraq. The memo emphasised "The Coalition will actively oppose Saddam Hussein's old enforcers – the Baath Party, Fedayeen Saddam (the irregular fighters that has harassed our forces on the march to Baghdad), etc. We will make clear that the Coalition will eliminate the remnants of Saddam's regime."[9] On the morning of the same day that Rumsfeld gave Bremer the memo, another one of our elite decision-makers Douglas Feith had shown Bremer a draft order for the "De-Baathification of Iraqi Society."[10] Feith had told Bremer that he was thinking of having Jay Garner issue the order, however Bremer believed that he (himself) should issue it when he arrives in Baghdad, Feith agreed.[11] Feith had stressed the urgency of the initiative to Bremer, stating that Rumsfeld's memo made it clear that the decree was to be carried out "even if implementing it causes administrative inconvenience."[12] By administrative inconvenience, Rumsfeld had acknowledged that senior Ba'athists had formed leaderships in every Iraqi ministry and military organisation, and that by banning them, running the government would be more difficult.[13] Bremer then informed elite decision-makers Meghan O'Sullivan, Ryan Crocker and their subordinates (along with other non-senior governance officials) of the order, informing them that "the White House, Department of Defence, and State all signed off on this," suggesting one final examination, before issuing the order.[14] For CPA Order Number 2 (Dissolution of Entities), Bremer initially (similar to the process of Order Number 1) briefed Rumsfeld on the initiative, Feith then reviewed the draft order in the Pentagon on May 22. Once the draft was approved, Bremer had a teleconference with President Bush, to inform him of the order.[15] The order had been approved by the CPA, Washington and the US central command (CENTCOM).[16]

Consensus amongst US elite decision-makers regarding the Orders.

There is clear consensus amongst the elite decision-makers regarding the Orders from the main departments (Department of State and Department of Defense) and President George W. Bush. In particular Feith, Rumsfeld, O'Sullivan, Crocker and Bush signed off on the orders, signalling unity

[9] Bremer, L. & McConnell, M. (2006). *My year in Iraq: The struggle to build a future of hope*. New York, Threshold Editions, p.39.
[10] Ibid.
[11] Ibid.
[12] Ibid.
[13] Ibid, p.40.
[14] Ibid, pp.40-41.
[15] Ibid, p.57.
[16] Ibid.

and agreement amongst our elite decision-makers. However, this will be examined further below where relevant in the Orders that will be discussed.

Based on the origins of the mentioned CPA orders, and the processes that were followed to create them, I believe that it is fair to state that the rest of the orders may have followed a similar procedure. It should also be noted that the orders were released separately, with over a year in-between CPA Order Number 1 (May 16th, 2003) and CPA order Number 100 (June 28th, 2004), with releases normally being monthly. Based on this, it can be suggested that the CPA created and released the orders upon necessity, as per the processes mentioned above, indicating that the orders were not created as a unit before the invasion. This makes sense and corroborates the processes that Bremer describes in his book.

Similarly, regarding the CPA, we know it was built from scratch; their relationship with Washington was impromptu and cloudy, similar to Bremer with his superiors.[17] The CPA was simultaneously part of the Defense Department, a multinational organisation, and a foreign government, with Bremer communicating directly with the President and the White House staff.[18] The orders of the CPA will be examined, to firstly identify what the intentions behind implementing the orders were. I will examine whether the orders were for the benefit of the Iraqi people, analysing the impact of the orders on the Iraqi people. Once I have analysed the orders of the CPA, I will examine all the actions associated with the CPA orders. By actions, I mean decisions that the US took through the CPA, that came as a direct result of the orders, for example privatisation and the awarding of contracts to private corporations.

The orders were individual, and governance related, with the broadcast message being that the US had positive intentions for the welfare of the Iraqi people. However, the orders along with the acts of the CPA in enforcing them, had self serving intentions. I believe the orders aimed to create an Iraq that would facilitate and comply with the US agenda to create a free market economy built by US corporations. This was to be enabled by destroying the existing Iraqi state through its infrastructure and public institutions, to such an extent that the problem caused by the US, could only be solved by the US. Naomi Klein's 'shock doctrine' makes perfect sense in explaining what took place, and will be elaborated upon. The US took a sequence of steps to completely remove the dignity of Iraqis, through creating mass unemployment, division between sects and inhumane living conditions. In addition, a destabilisation of the Iraqi state's economic structures took place, to the extent that the only way the Iraqi people could survive was if they embraced and accepted the new

[17] Dobbins, J. Jones, S.G., Runkle, B., Mohandas, S. (2009), p.xvii.
[18] Ibid.

culture of privatisation. Therefore, instead of looking towards their state salaries (as per the socialist state structure), Iraqis instead were expected to focus on the private market for jobs in the long term, as their government had been made redundant in providing salaries. I believe this was the intention of the US, to create conformance in the transformation of the historical social state, to a capitalist and privatised state. This was done through the destruction of state entities, in areas where the US either destroyed the state institutions (through the heavy bombing initially and then privatisation measures), or failed to act when institutions were knowingly destroyed through looting and chaos. Although the aim of the US was to achieve acceptance from the Iraqis, what actually occurred was the opposite. The Iraqi people responded with resistance, in which the insurgency personified the resistance. Similar to the financial crisis of 2008 where the US made a miscalculation on human behaviour in paying back sub-prime loans, the US also underestimated and miscalculated how Iraqis would react to the free market economy and privatisation of their nation. A note needs to be made here regarding the fact that the transition to capitalism takes years, if not decades. I believe this is something the US were aware of. In Iraq specifically, the politics is socialist, and the government in Iraq had historically set salaries in accordance with living expenses, to enable the people to live in a socialist oriented way of life, with minimal financial strain. Hence Saddam had previously put tax on imports to regulate living standards, so the people of Iraq would not live in financially confined ways. Pre-2003, the average salary in Iraq was around $800 per month, living expenses were around $150 dollars, working hours were from 9-2pm Sunday to Thursday, and the people were accustomed to living and socialising with work being secondary. The capitalist system would prioritise work, and disrupt the system of socialism in the eyes of Iraqis. However, this is not what made the occupation of Iraq a failure regarding the US achieving its goals of creating a stable, US friendly free-market democracy in Iraq. What disrupted the experiment was individual decisions that the US took in Iraq, which created a situation where the short-term effects were so detrimental and unbearable to Iraqis, that the combined impact of the decisions caused an undesired reaction in Iraq. This reaction was to the opposite effect of what the US intended for Iraq. What the US intended was a free-market capitalist system to be embraced, in circumstances where there was no other option. Now I will examine the orders of the CPA, analysing how they impacted Iraqi social and political society.

CPA Order Number 1: De-Ba'athification of Iraqi Society (May 16 2003)

As stated in the previous chapter, Bremer arrived in Baghdad on May 12th, 2003, as head of the CPA, replacing Jay Garner as the civilian administrator. Washington's State Department in the weeks prior to Bremer's arrival had intended a moderate de-Saddamification process, where they

would purge the party and the state of those who had committed crimes, but the intention initially was to leave intact the country's national institutions.[19]

Disagreement within the elite decision-makers

Despite the consensus in the signing off process of the Order as mentioned above, initially Order Number 1 created disagreements within our elite decision-makers. The Defence department wanted a more a radical purge as it was backing Ahmed Chalabi and the other five exiles (known as the Iraqi Leadership Council (ILC), discussed in the previous chapter).[20] However, the CIA agreed with the State department, and the Vice-Presidents office agreed with the Defence Department.[21] The National Security Advisor, Condoleezza Rice suggested a compromise, where only the highest ranking members which equated to 1%, would be fired and barred from future public sector employment.[22] Others in the US wanted an approach that was similar to South Africa and Argentina, in a 'truth and justice' or 'truth and reconciliation approach.' On March 10, 2003, it was our elite decision-maker Rice's proposal of compromise that prevailed, this involved keeping some institutions that might help organise the occupation and could provide a speedy withdrawal of foreign troops. This was accepted by Bush after a meeting with Rice, Cheney, Rumsfeld and Powell.[23] The Bush Administration were committed to de-Ba'athification from the beginning, with National Security Council senior aide Frank Miller explaining that the Ba'ath Party had around 1.5 million associate members, only 25,000 of those were active and classed as elites which needed to be barred from the new government.[24] However, Bremer reported to Secretary of Defence, Donald Rumsfeld, and the neoconservatives prevailed.

Implications of the Order

The first order of the CPA was the de-Ba'athification of Iraqi society, promulgated on May 16th, 2003. The order removed all the Ba'ath party members from leadership and government structures, with the CPA aiming to show Iraq that the former regime would not be in government, nor would they be allowed to have employment in the public sector again.[25] Section 1, part 2, of the order stated that investigations would take place on those who were suspected of criminal conduct, and if they were deemed a threat to security, they would be detained or placed under house arrest. In addition, section 3 made it clear that those holding positions in the top three layers of management in

[19] Ehrenberg, J. (2010) *The Iraq papers*. New York, Oxford, Oxford University Press, p.182.
[20] Ibid.
[21] Ibid.
[22] Ibid.
[23] Ibid.
[24] Gordon, M., & Trainor, B, E. (2007) *Cobra II: The inside story of the invasion and occupation of Iraq* (New ed.]. ed.). London, Atlantic, p.185.
[25] Ehrenberg, J. (2010), pp.184-185.

ministries like hospitals and education, would be interviewed for affiliation with the Ba'ath party, with threat assessments through detention and house arrest.[26] Displays of the former regimes symbols would also be prohibited (section 1, 4 of the order), with rewards being given to the capture of senior members of the party (section 1, 5), and finally the CPA would have the ability to grant exceptions to the guidance of the order on a case-by-case basis.[27]

The fundamental issue of such an order is that it would automatically cause marginalisation for Iraqis that were affected by the policy, leading to resentment, and scope for resistance to initiatives moving forward. Without guarantees regarding the continuation of wages, in a heavily reliant civil salary economy, those affected would face financial setbacks, directly affecting their daily lives. The impact of this needs to be considered alongside the existing difficult living conditions, that were due to the war, and the preceding decade of sanctions. The fact that the purge affected 'senior members,' was concerning. Senior members most likely would have had influence and control in an Iraq that was dominated by tribal and party affiliation, signifying foreseeable resistance. The CPA could have given guarantees of wages, and instead suspended former Ba'athists, to at least keep the peace by providing assurances through inclusion. However, the CPA, in enforcing such an order, angered Iraqis that could have been kept appeased, until concrete policies of reconciliation were put in place. Therefore, this order needs to be questioned, given the fact it was made so early on in the war, considering that resistance was a probable outcome of the order, and that the US needed co-operation during this time.

CPA Order Number 2: Dissolution of Entities (May 23rd 2003)

The second order by the CPA was to dissolve the Ba'ath Party's former entities, and was released the day after the UNSCR 1483 had acknowledged Britain and the US as occupiers. The roots of the order had been influenced by Walter Slocombe,[28] after discussions with other Department of Defence officials, suggestions were made that it would be better to disband the current Iraqi army, and then create a new one, as opposed to rebuilding the current one on old foundations.[29] After Slocombe's concerns were presented, a draft order was created and cleared through the Pentagon and CENTCOM, before Bremer's departure to Baghdad.[30] Although on May 15th Jay Garner, unsuccessfully tried to persuade Bremer to reconsider, as on May 19th Donald Rumsfeld approved the order, even before President George Bush and the rest of the National Security Council were briefed on the 22nd of May. After elite consensus amongst Bush, Rice, Rumsfeld and Bremer the

[26] Ibid, p.185.
[27] Ibid.
[28] Walter Slocombe had previously served under President Clinton, as Under Secretary of Defense for Policy.
[29] Dobbins, J. Jones, S.G., Runkle, B., Mohandas, S. (2009), p.xxii.
[30] Ibid.

order was enabled to be issued on the 22nd of May.[31] The order named 'dissolution of entities' sought to dissolve the Ministries of Defence, Information, State for Military Affairs, the Iraqi Intelligence Service, the National Security Bureau, the Directorate of National Security, the Special Security Organisation and most importantly the Army, Air Force, Navy, the Air Defence Force, and all other military services.[32] Under CPA Order Number 2, Section 3, 3, any person employed by a dissolved entity would be accountable for acts committed during such employment. Under the order, those employed would no longer be paid, apart from the pensions for war widows and disabled veterans.

As noted under UNSCR 1483, the CPA were instructed to put measures into place to assist the Iraqi people, and to repair its infrastructure, not to put almost 400,000 Iraqis out of work, causing significant detriment.[33] At the very least, if the army and ministries were disbanded on a suspension with pay, life could have potentially resumed the same. The fact that they were disbanded completely and were prepared with knowledge on how to use such arms in a trying and turbulent Iraq, illustrated great danger. Similar to de-Ba'athification's detrimental flaws, the disbanding of the army with little explanation, apart from the decision being to remove traces of the old regime, meant that the US angered those who were negatively affected by the policy, foreseeably causing resistance and upheaval. Another point needs to be noted at this stage, the history of Iraq (even before Sykes-Picot in 1916) gives evidence to a nation with great pride, honour and respect forming a significant part of its historical culture. The US needed to be familiar with Iraq's history when making decisions on the ground, as the reaction to such US decisions should have been anticipated and understood. Clearly, the US (and therefore the CPA) overlooked the culture of pride, respect, honour and dignity that the middle-east and especially Iraq holds so dearly. The extent to which the US was aware of Iraqi culture, regarding how they may react to decisions, will be examined further in this chapter.

Orders 1 and 2: Legality and Compliance with the stipulated international law.

Orders 1 and 2 are in violation of the UNSCR resolution 1483, which provides instructions to abide by the Geneva and Hague laws. Article 54 of the Geneva Conventions of 1949 makes it clear that the occupying power (CPA) cannot alter the status of public officials in the occupied territories or "take any measure of coercion or discrimination against them." Evidently, the CPA here has violated international law. Although ironically, it must be noted that both Orders 1 and 2 (along

[31] Ibid.
[32] Ehrenberg, J. (2010), pp.186-187.
[33] CNN (2003) U.S. dissolves Iraqi army, Defence and Information ministries**.** *CNN* Available from: http://edition.cnn.com/2003/WORLD/meast/05/23/sprj.nitop.army.dissolve/ (Date accessed 10th August 2017).

with the other orders mentioned) start with a statement by Bremer that reads as "pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), relevant UN Security Council resolutions, and the usages of war." The existence of this statement, despite a clear violation of the law is something which is to be questioned, as the existence of the order(s) is a clear violation to the laws that it claims to adhere to. However, as stated in the methodology (Chapter 2), I will examine the decisions in order to establish whether violations of the law served in the interests of the Iraqi people.

CPA Order 12: Trade Liberalization Policy (June 8th 2003)

Under Section 1 of CPA Order 12, the CPA suspended all tariffs, custom duties, import taxes, licensing fees, and similar surcharges for goods entering or leaving Iraq, and all other trade restrictions that may apply to goods, are suspended till December 2003.[34] The order came into force on the date of the signature as stated in Section 3 of the order. The problem with this order is that the wage structures in socialist, civil salary centric Iraq were based on living expenses under Saddam's regime. This involved the existence of a clear gap between living expenses and the total paid salary. As mentioned above, pre-2003, the average individual civil service salary in Iraq was approximately $800, with living expenses being approximately $150. This basically means that Introducing the removal of tariffs would naturally create dis-satisfaction with Iraqis, as it would mean more products and items for Iraqis to buy, with Iraqis not being able to afford these products. Therefore, the removal of tariffs on products, meaning more products coming in, without increasing salaries, would be financially implicating to Iraqis, causing dissatisfaction. This is a significant point to note, considering that the orders below sought to privatise Iraq's public sector. This means that the Iraqis could potentially spend money that they will not be making back any time soon, considering the uncertainty around civil salaries and the privatisation that was introduced. A foreseeable outcome would be that once money runs out on excess purchases, Iraqis who are financially constrained, and have no civil salary due to the dissolution of entities, would be desperate for work. It is foreseeable that the only option would be the private sector, and therefore the acceptance of the new privatised state, something the US would have foreseen.

CPA Order Number 39: Foreign Investment (December 20, 2003)

Order 39 Section 2 states that the *'order promotes and safeguards the general welfare and interests of the Iraqi people by promoting foreign investment through the protection of the rights and property of foreign investors in Iraq and the regulation through transparent processes of matters*

[34] Ehrenberg, J. (2010), p.198.

relating to foreign investment in Iraq.'[35] Section 3, 1 of the order states that the law replaces all existing foreign investment law in Iraq.[36] Section 4, 1, controversially gives foreign investors rights that are no less favourable to what an Iraqi investor would be entitled to. Section 4, 2, states that *"the amount of foreign participation in newly formed or existing business entities in Iraq shall not be limited, unless otherwise expressly provided herein*."[37] Even more questionable is section 7, 2 of the act that gives a foreign investor authority to possess, use and dispose of its investments and be able under section 7, 2, D to "*transfer abroad without delay all funds associated with its foreign investment, including shares, profits and dividends, proceeds from the sales, interest, royalty payments and management fees."*[38] Section 13 makes it clear that no legal text that impedes the order shall be enforced.

The priority of foreign investment law by the CPA has been questioned comprehensively, especially with the immediate need for its enforcement, given the fact that Iraq was in a period of post-war reconstruction. In a study by the *United States Institute of Peace Special Report* on the CPA's experience with economic reconstruction in Iraq, Henderson stated; *"The CPA's conviction that foreign investment liberalization was so crucial that it had to be enacted immediately turned out to be a miscalculation. It engendered ill will and fed Iraqi suspicions needlessly, as foreign investor interest in Iraq was minimal. Foreign investors are not typically drawn to environments of on-going violence that lack enforceable property and contract rights. Furthermore, few companies were willing to risk investing under an occupation authority whose laws might be rescinded by the Iraqi successor regime."*[39] This paragraph became a reality as the occupation progressed, and will be investigated further in this chapter.

CPA Order 46: Amendment of CPA Order 39 on Foreign Investment (December 20, 2003)

This order brought order 39 into direct effect, by instructing the Ministry of Trade to promptly issue regulations in direct consultation with the CPA to implement order 39, this is to be done also in coordination with the Minister of Finance and the Minister of Planning.[40]

Orders 39 and 46: Legality and Compliance with the stipulated international law.

The issue with order 39 and order 46 is that they violate the UNSCR 1483, which requires the authority/ occupier which is the CPA to adhere to The Hague and Geneva laws. Article 43 of The

[35] Ibid, p.200.
[36] Ibid.
[37] Ibid.
[38] Ibid, p.201.
[39] Henderson, A, E. (2005) The coalition Provisional Authority's Experience with Economic Reconstruction in Iraq" *United States Institute for Peace Special Report 138*, p.11.
[40] Ehrenberg, J. (2010), p.202.

Hague Convention states that laws in force in the country must be respected unless absolutely prevented. The 1970 Constitution of Iraq which was in place under Saddam Hussein, and effectively still binding at the time of the order, made estate ownership forbidden to non-Iraqis under Article 18.[41] Article 15 of Iraq's 1970 Constitution made it clear those public properties, and the possessions of the public sector have special inviolability, and that the state and all individuals of the nation have to secure them, with any violation or destruction being considered as a destruction of the structure of society. Therefore, the fact that the constitution already in place in Iraq was being overruled was a clear violation of international law as per the guidelines put in place by the UNSCR 1483, which ordered the adherence and conformity with the Geneva Conventions. Although Article 43 of The Hague Conventions does instruct respect of the laws in place, it does say *"unless absolutely prevented*." Here there is little evidence that the CPA were 'absolutely prevented,' nor did the CPA provide the reasoning or a case for why it was 'absolutely prevented.' Therefore, it can be said with evidence, that an absolute violation of international law had taken place. In addition, Article 55 of The Hague Regulations states that the occupier is only regarded as administrator of public buildings, real estate, forests, and agricultural estates in the occupied country, it must safeguard these properties and administer them in accordance with the rules of 'usufruct.' Usufruct is defined in two parts, the first part is 'usus' meaning 'use' and the second part is 'fructus' meaning 'fruit.' You can, under the rules of usufruct, use the property and its fruit, however you cannot in anyway alter it, which also means you cannot sell it. To break it down further into laymen's terms; you can stay inside someone's property and even eat from what it produces, but you cannot sell the property. The privatisation of over 200 state owned enterprises, which in Iraq's 1970 Constitution all belonged to the people of Iraq, means that the illegal process of alteration took place. Ironically (again), it must be noted that both Orders 39 and 46 (along with the other orders mentioned) start with a statement by Bremer that reads as "pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), and the laws and usages of war, and consistent with relevant UN Security Council Resolutions, including resolution 1483 (2003)."

CPA Order Number 17: Status of The Coalition Provision Authority, MNF-Iraq, Certain Missions and Personnel in Iraq. (June 27th 2004)

This order was issued after Bremer left Iraq where by which time there were around 180,000 private contractors, with over half of these numbers providing security and armed services.[42] The Bush administration had a tendency to outsource (which will be examined further in this chapter).

[41] The Ministry of Information - Baghdad (1971) The Weekly Gazette of The Republic of Iraq: Interim Constitution of Iraq 1971. *The Ministry of Information Baghdad* Available from: http://www.hrcr.org/hottopics/statute/scans/iraq1.pdf (Date accessed 10th August 2017).
[42] Ehrenberg, J. (2010), p.208.

In order to avoid congressional scrutiny, press scrutiny and accountability, they relied upon contractors.[43] The Bush administration relied on outsourcing to private contractors much more than previous administrations, and when scrutinised, refused to reconsider its use of mercenaries in the form of deploying Blackwater, Dyncorp and Triple Canopy.[44] The benefit of using private contractors, even in military operations, is that accountability is diminished if not removed completely. This is because the private company is separate and impartial to the US State.

Order 17: Legality and Compliance with the stipulated international law.

It must be noted that a state soldier or operative can still commit a war crime. This justifies international concern and accountability through international humanitarian law, which is, regulated through The Hague Regulations of 1899 and 1907 and The Geneva conventions of 1949.[45] It is to be noted that for a war crime to be committed, there is no need for widespread or systematic commission, instead a single isolated act can constitute a war crime.[46] Order Number 17 gave impunity for private contractors, and made it impossible for any sovereign Iraqi court or government to hold them to account for acts performed by them under instructions of their contract, or sub-contracts under 'section 4, 2.'[47] There are two logical arguments of why the CPA would issue such an order; one is that the risk and threat in Iraq was so high that contractors needed that extra security. There needed to be no risk to them being tried or detained for unlawful acts, so that they would come to work. The other logical reason is that what the US was dealing with in Iraq, was a climate so chaotic, resistant and rebellious to US policies of privatisation (the planting of the seed was the CPA orders), that the most brutal of officers, commanders and contractors would be needed to enforce law, order and most importantly; compliance by the Iraqi population. To achieve this, special measures had to be used to make the contractors more confident in carrying out their work. This resulted in contractors being provided with full impunity. The drawback of the removal of accountability for private contract firms is that aside from the financial benefit to the company that gains the contract, there is little or zero measures in place to hold such firms accountable for standards of practise, performance and most importantly completion of the contracts. For example, if a private firm is awarded a contract in Iraq, then what is to stop that firm from taking the payment and doing a poor or in-complete job? Better still, who sets the standards for performance? The CPA put in place a clause that made Iraq a place to 'come and take whatever contract that you can get.' However, the consideration of whether you are the

[43] Ibid.
[44] Ibid.
[45] Cryer, R., Friman, H., Robinson, D., & Wilmshurst, E. (2010) *An Introduction to International Criminal Law and Procedure*. Cambridge, Cambridge University Press.
[46] Ibid.
[47] Ehrenberg, J. (2010), p.210.

best person for that role, and whether you are obliged to finish the project to a certain standard, has been left up to the discretion, good will, and faith of the profit-driven corporation. Given the violent climate of Iraq, especially with its security issues, private contractors may face environments where it is difficult to complete work, and may use that factor for an easy get out clause (this occurred after the order, which this chapter will discuss further below). It has to be noted that a state-owned initiative would operate naturally to set standards and parameters in the work it is obliged to complete. However, a profit-seeking firm may cut corners, and in the name of profit it may find ways to ignore its obligations, after all, there is nothing preventing them from doing this. In setting this order, the CPA knew that this was a foreseeable outcome and when this chapter looks at the awarding of contracts and its aftermath, the empirical evidence will be a testament to this occurring not just once, but in an epidemic spread of culture created by this order.

Case Study - Iraq on the ground: What were the effects of the orders and who did they benefit?

In this section of the chapter, I will examine eventualities that take place as a result of the above-mentioned CPA orders. I will then analyse the effects of these decisions in terms of whether they were in the best interests of the Iraqi people, or whether there was another beneficiary involved. It must be stressed that as per the UNSCR the US was legally obliged to do its best in protecting the Iraqi people, their well-being, their assets and to do all it could to safeguard that relief was provided to a nation debilitated by sanctions and war. It is also fair to note that when the CPA disbanded the Iraqi Army without pay, and dissolved the ministries and declared discrimination of the former Ba'athists, it was not just those directly affected by the decision that would react to it; naturally friends and relatives of those to whom it was detrimental would also feel angered. To make the new Iraq even more non-inclusive of the people, the decision to encourage foreign investment, in a culture and nation where historically it has never happened before, coupled with the reconstruction being outsourced to foreign corporations without accountability, undoubtedly caused alarm and distress. In theory, these orders are clearly detrimental to Iraqi society, marginalising and taking the Iraqi people away from having the opportunity to rebuild their own country (again in a nation with excessive pride and honour). Shortly, I will examine the effects of the orders, especially regarding who they benefitted most; was it the Iraqi people or the US and its interests? Before this however, I will examine the mind-sets and aims of US decision makers regarding the bombing campaign, looting and what they were doing in Iraq.

Mind-sets and aims of decision makers and appointees before arriving in Iraq and how this was personified in the bombing campaign, looting and other decision making

Before I examine the contracts awarded and the financial decisions of the CPA, I believe it is important to understand the manufactured climate that preceded these contracts. By 'manufactured,' I mean conditions that were made by the US through actions and omissions. By 'direct US actions,' I mean the excessive bombing campaign, which was a US act directly. Finally, in terms of omissions, I mean where the US failed to act, for example in the looting that took place. I will examine both actions and omissions below, to reach an understanding of not only what happened, but the thought processes behind the actions before the war took place.

Post-War planning and knowledge of Iraq and its culture

Naturally, one would assume that every person making decisions in Iraq would be well educated regarding the culture, principles and history of the Iraq, however, this was not the case. Not only was knowledge of the land deemed unnecessary, the mind-set of the CPA's decision makers was of the opposite mentality; that knowledge of Iraq was not needed. Instead the mantra and rhetoric was one of imperial ambition from the offset. As war advocate Thomas Friedman had put it, "we are not doing nation-building in Iraq. We are doing nation-creating."[48] In a separate article Friedman declared that Iraq would be a "different model in the heart of the Arab-Muslim world."[49] American Enterprise Institute pundit Joshua Muravchik predicted that the model put in place in Iraq would spread like a "Tsunami."[50] Bush himself later declared the mission as "spreading freedom in a troubled region."[51] The freedom agenda was more in line with that of corporations which Bush later affirmed after the combat operation of the war was over, stating that in a decade there would be the "establishment of a US-Middle-East free trade area.[52] If the US was to create a nation from scratch, then erasing all the nations stronghold of culture and knowledge would have to take place. This intention to erase and destroy all existing characteristics was something that was indeed personified through the usage of bombs in the war.

Shock Therapy in the Bombing Campaign

In the Gulf War of 1991, in a period of 5 weeks around 300 Tomahawk cruise missiles were fired in five weeks, in 2003, more than 380 were launched in only a day, launching over twenty thousand

[48] Friedman, T, L. (2005) "What Were They Thinking?" October 7, 2005 *New York Times.* Available from: http://query.nytimes.com/gst/fullpage.html?res=9400E6D81E30F934A35753C1A9639C8B63 (Date accessed 10th August 2017).
[49] Friedman, T, L. (2003) "The Long Bomb", March 2, 2003 *New York Times.* Available from: http://www.nytimes.com/2003/03/02/opinion/the-long-bomb.html (Date accessed 10th August 2017).
[50] Muravchik, J. (2002) "Democracy's Quiet Victory," August 19, 2002 *New York Times,*. Available from: http://www.nytimes.com/2002/08/19/opinion/democracy-s-quiet-victory.html (Date accessed 10th August 2017).
[51] Bush, G, W. (2005) "President Discusses Education, Entrepreneurship & Home Ownership at Indiana Black Expo," Indianapolis, Indiana, July 14, 2005. *The White House Washington* Available from: https://georgewbush-whitehouse.archives.gov/news/releases/2005/07/images/20050714-4_f1g8193jpg-515h.html (Date accessed 10th August 2017).
[52] Chen, E. & Reynolds, M. (2003) "Bush Seeks U.S.-Mideast Trade Zone to Bring Peace, Prosperity to Region," May 10, 2003 *Los Angeles Times.* Available from: http://articles.latimes.com/2003/may/10/world/fg-bush10 (Date accessed 10th August 2017).

precision-guided cruise missiles from March 20th to May the 2nd 2003, this amounted to almost 70% of the total amount ever made at the time.[53] The bombing campaign was a significant part of the creating a blank canvas to start drawing from; the US had experience from the 1991 Gulf War and therefore would have lessons to draw from. One of the perceived drawbacks of the Gulf War for the US, was that dominance and victory was not quick enough, sparking the questioning of how this could be achieved more swiftly, and effectively. This became the art of '*Shock and Awe,'* written by the commander in Desert Storm; Harlan Ullman, where if the opportunity to fight Saddam again arose, the US would have a much better chance of making the enemy collapse more immediately.[54] Saddam's forces not falling in Desert Storm triggered what Ullman called areas to insert the 'needle,' stating that this could be done in three effective ways. The first way would be to possess unprecedented intelligence about the campaigns adversary, through knowing their plans and countering them with a rapidity that caused the enemy to not know how to respond.[55] The second way would be to strike crucial nodes to collapse military and political power rapidly in "effects-based-targeting," where the targets would be selected based on the after affect.[56] The third way would be to completely render the enemy as impotent, by making the adversary defenceless, forcing it to surrender. For the third way, Ullman cites Hiroshima and Nagasaki in August 1945, where Japan was determined to fight till the end, despite the Islands being blockaded and people starving, the B-29 bombs used were "immolating" tens of thousands of Japanese in the process. Only after the dropping of the second atomic bomb, the Japanese War Cabinet decided to consider whether to carry on the fight or not, before the emperor intervened and surrendered unconditionally, as a single bomb had taken a whole city which was incomprehensible.[57] The bombing campaign that took place in Iraq, evidenced through the number of bombs dropped was beyond incomprehensible, it was almost impossible to compete with, therefore unsurprisingly Iraq's military collapsed. However, my question is whether the intention was solely for the military to surrender, in a mission where it was intended for the whole nation was to be rebuilt. The roots of this shock and awe tactic can be traced back to the psychiatrist who was a CIA MKUltra[58] agent;

[53] Friedman, M (1991) *Desert Victory: The War for Kuwait* Annapolis, MD: Naval. Institute Press, pp.183-186, and also Gordon, M., & Trainor, B, E. (2007), p.551.
[54] Ullman, H., Wade, J.P. & Royal United Services Institute for Defence Studies. (1998) Rapid dominance: A force for all season: Technologies and systems for achieving shock and awe: A real revolution in military affairs *RUSI Whitehall paper series; 43. London, Royal United Services Institute for Defence Studies.*
[55] Ullman, H. (2003) " 'Shock and Awe' Misunderstood," April 8, 2003 *USA Today*. Available from: http://usatoday30.usatoday.com/educate/war36-article.htm (Date accessed 10th August 2017).
[56] Ibid.
[57] Ibid.
[58] The CIA MKUltra program featured experiments that were carried out to determine the most effective ways for torture and interrogation through mind control to be successful.

Dr Ewen Cameron, who believed that 'shock' was effective in erasing existing patterns in his patients, with better results coming from instances where more shock was being used.[59]

One must now raise a question, although winning the war was a necessity, and the US ultimately won the war with little or limited time; who were the real intended victims? If the US wanted to win the war which was inevitable, surely they would have considered the fact that Saddam's forces were already weakened. Such a consideration that the war would have been won easily, would have triggered less use of bombs. It is foreseeable then, that the only people left to effect after Saddam's regime, would be the Iraqi people. Therefore, the excessive bombing would have significantly impacted the Iraqi people, psychologically damaging them as a result.

As noted already, in order for the deletion of Iraqi society to take place, and for room to be made for a new society that was to be 'created,' measures were needed in existing society to enable this. Already without a government and infrastructure due to bombing, the Iraqi people would be the ones to suffer from the effects of the campaign, which would take place psychologically. The ordinary Iraqis who were on the end of the bombing were consolidated, and interviewed in a study by Anthony Shadid, in his book *'Night Draws Near: Iraq's people in the Shadow of America's war.'* One person's account was a mother of three who lived in Baghdad during the bombings, she stated *"not a single minute passes by without hearing and feeling a drop of a bomb somewhere. I don't think a single metre in the whole of Iraq is safe."*[60] This strategy, heavily influenced by Ullman was introduced to the US public, and would have also reached the Iraqi population through media and other means of communication. Having access to a Pentagon Official, the CBS anchor David Martin quoted the official who was not named "*there will not be a safe place in Baghdad.. The sheer size of this has never been seen before, never been contemplated before."*[61] Ullman was quoted in the release, stating there would be a "simultaneous effect, rather like the nuclear weapons at Hiroshima, not taking days or weeks but in minutes."[62] It should also be noted that the US also used illegal weapons in the war, this was in the form of depleted uranium and white phosphorous, however, I will not be discussing this in detail as the damage is relative to the overall bombing. It was *'Global Research'* who identified the use of depleted uranium, which has proven to cause cancer and tumours, not to mention deformities in babies.[63] The established use of white

[59] Cameron, D, E. (1956) "Psychic Driving," *American Journal of Psychiatry* 112 (7); and Cameron, D, E., and Pande, S, K. (1958) "Treatment of the Chronic Paranoid Schizophrenic Patient," *Canadian Medical Association Journal* 78.
[60] Shadid, A. (2006) *Night draws near: Iraq's people in the shadow of America's war*. New York, Henry Holt and Company.
[61] CBS News (2003) "Iraq Faces Massive U.S. Missile Barrage,", January 24, 2003. *CBS News* Available from: http://www.cbsnews.com/news/iraq-faces-massive-us-missile-barrage/ (Date accessed 10th August 2017).
[62] Ibid.
[63] Al-Azzawi, S, N. (2009) The responsibility of the US in contaminating Iraq with depleted Uranium. *Global Research* Available from: http://www.globalresearch.ca/the-responsibility-of-the-us-in-contaminating-iraq-with-depleted-uranium/15966 (Date accessed 10th August 2017).

phosphorous by the US, another illegal chemical was also widely documented[64] and later was found to cause birth defects with babies born with one eye and two heads.[65] Whether the US did this to effectively eliminate the enemy solely in the immediate combat, or whether they intended long term effects to create a market for pharmaceuticals is a question that the rest of this chapter will address, by looking at the episode of chemical use referenced here alongside all the other actions. What actually happened in Iraq was precisely the above mentioned, with strategic bombing effecting the psychology of the Iraqis when communication platforms were destroyed. The telephone, media and electricity supply lines were targeted, so no phones were working throughout the bombing.[66]

As Ron Suskind stated one impetus for Cheney and Rumsfeld in invading Iraq was to create a demonstration model to guide the behavioural traits of any one brave enough to acquire weapons, or attempt to go against US interests, in what was a war in global experimental behaviourism.[67] As Ullman and Wade (a psychiatrist working for the National Defence University) stated in their study, the goal is to *"render the adversary completely impotent" through real-time manipulation of senses and inputs…literally 'turning on and off' the 'lights' that enable any potential aggressor to see or appreciate the conditions and events concerning his forces and ultimately, his society" whilst also "depriving the enemy, in specific areas, of the ability to communicate, observe."*[68] The effects of living in heavy bombardment with no light, communication or even TV, to get some insight as to what is happening was psychologically devastating for ordinary Iraqi people, as Shadid documents.[69] Not being able to leave the house as your life is in danger, hearing and feeling the vibrations of bombs relentlessly dropped, and not knowing whether it was a friend, sibling or neighbour who was on the end of it. Most importantly, if you were safe, you could not confirm your survival with those who worried about your existence inside or outside of Iraq. As one person in Shadid's study states, journalists were swarmed by desperate Iraqi locals who begged to call family members to *"tell him everything is okay. Tell him his mother and father are fine. Tell him hello. Tell him not to worry."*[70] The darkness in the night was relieved only through the headlights of passing

[64] BBC News (2005) US Used White Phosphorous in Iraq November 16, 2005 *BBC News* Available from: http://news.bbc.co.uk/1/hi/world/middle_east/4440664.stm (Date accessed 10th August 2017).
[65] The Independent (2004) Iraq Records High Rise In Birth Defects. *The Independent* Available from: http://www.independent.co.uk/life-style/health-and-families/health-news/iraq-records-huge-rise-in-birth-defects-8210444.html (Date accessed 10th June 2017).
[66] Chandrasekaran, R., Baker, P. (2003) "Allies Struggle for Supply Lines," *Washington Post*, March 30, 2003; Anderson, J, L. (2004) *The Fall of Baghdad* New York p199: Penguin Press; Gordon M, R. & Trainor, B, E. (2006), *p*465.
[67] Suskind, R. (2007) *The One Percent Doctrine: Deep Inside America's Pursuit of Its Enemies Since 9/11.* New York, Simon & Schuster, 2006, pp.123,214.
[68] Ullman, H. &Wade, J, P. (1996) *Shock and Awe: Achieving Rapid Dominance* Washington, DC: NDU Press Book, p.55, pp.123-125, p.214-215, p.17, p.23, p.29.
[69] Shadid, A. (2006).
[70] Ibid, p.71.

cars."[71] Similar to those in a prison under torture, Iraqis in this ordeal were subjected to sensory deprivation.

The immediate deletion of the roots and cultures of Iraqi society was attempted in the bombing, this naturally created needs for reconstruction after the war was won. Iraq would foreseeably be reconstructed through the above-mentioned CPA orders, by private firms who would be brought in by the CPA. What was needed for a society to be rebuilt from scratch? Iraq was not just any society to Iraqis and the world, but a society with a rich history in science and advancement, a nation regarded as the 'cradle of civilisation.' What was needed to rebuild Iraq from scratch, was the removal of its history. The history of Iraq known as 'Mesopotamia,' where the first laws, medical advancements and civilisations were historically formed, lived proudly in Iraqis. What took place after the heavy bombardment was looting and destruction, which would both play a part in removing the historical hold of pride within Iraq. In addition, more work for rebuilding was created, again presumably (will be examined below) through private firms.

Looting

The looting that took place started with the National Museum of Iraq, where *the LA Times* reported hundreds of looters who smashed ancient ceramics, took gold and antiques; items pillaged were "nothing less than the records of the first human society…. Gone are 80 percent of the museums 170,000 priceless objects.[72] Simultaneously, Iraq's national library was also looted, the library held every book and doctoral thesis that was ever published in Iraq, along with manuscripts dating back to the ancient empires of Mesopotamia.[73] All members of Iraqi society had pride in this building which was the exhibition of Iraq's rich intellectual history, containing the manuscripts which detailed how the Arabs brought to Europe, Greek philosophy, mathematics and astronomy.[74] One artist said *"I can't express the sorrow I feel. This is not real liberation,"* whilst Haithem Aziz, a high school teacher stated "*Our national heritage is lost.. The modern Mongols, the new Mongols did that. The Americans did that. Their agents did that*."[75] What made the US guilty through the omission (failing to act), was evidenced through the presence of armoured US marine vehicles that sat and watched.[76] University of Chicago archaeologist McGuire Gibson made it clear that *"It's a lot like a lobotomy. The deep memory of an entire culture, a culture that has continued for thousands*

[71] Goldenberg, S. (2003) "War in the Gulf: In an Instant We Were Plunged into Endless Night," April 4, 2003. *Guardian* (London).
[72] Los Angeles Times (2003) "Restoring a Treasured Past," April 17, 2003 *Los Angeles Times*. Available from: http://articles.latimes.com/2003/apr/17/opinion/ed-museum17 (Date accessed 10th August 2017).
[73] Hanley, C, J. (2003) "Looters Ransack Iraq's National Library," April 15, 2003. *Associated Press* Available from: http://www.theintelligencer.com/news/article/Looters-Ransack-Iraq-s-National-Library-10542506.php (Date accessed 10th August 2017).
[74] Ibid.
[75] Ibid.
[76] Ibid.

of years, has been removed. There was 5,000 years of written records; even Egyptian records don't go back that far. It's an incredible crime."[77] Gibson, along with other accomplished archaeologists and art curators met with Joseph Collins (who reported directly to our elite decision maker Deputy Defence Secretary; Paul Wolfowitz), and four other Pentagon officials to discuss the ways to protect Iraq's ancient archaeological and culture sites from damage and destruction. US officials were given 5000 sites, in which the National Museum of Iraq, Baghdad, and the National Library, Mosul, were included.[78] Gibson declared *"I pointed to the museum's location on a map of Baghdad and said: 'It's right here,"* he recalled in an interview. *"I asked them to make assurances that they'd make efforts to prevent looting and they said they would. I thought we had assurances, but they didn't pan out."*[79] Joan Aruz, a curator who headed the Department of Ancient Near Eastern Art at the Metropolitan Museum of Art declared that *"It's of the utmost significance, not only for the cultural heritage of Iraq, but also for the rest of the world. The museum contained the greatest work of art created in the first cities. The loss is just outstanding. I haven't gotten over the shock."*[80] Ironically Iraq's oil ministry was untouched and remained protected whilst everything else was destroyed.[81] Questionably, on April the 10th, the same day of the Museum's looting, President Bush went on television to tell the Iraqis that they are the *"heirs of a great civilization that contributes to all humanity."*[82] When Rumsfeld tried to paint a positive picture of a liberated Iraq, cheering and celebrating their freedom and embracing forces, he was asked about the looting pictures all around the world from the museum. His response was *"while no one condones looting, on the other hand, one can understand the pent-up feelings that may result from decades of repression and people who have had members of their family killed by that regime, for them to be taking their feelings out on that regime."*[83]

Simultaneous to the above-mentioned events, the Iraqi national airline was also completely damaged and destroyed by US soldiers, who caused around $100 million worth of damages, rendering the public services redundant, causing the industry to be one of the first to be privatised later on.[84] This was done under the watchful eye of the CPA, again by US soldiers, again in violation

[77] Witt, L. (2003) "The End of Civilization," April 17, 2003 *Salon* Available from: http://www.salon.com/2003/04/17/antiquities/ (Date accessed 10th August 2017).
[78] Ibid.
[79] Ibid.
[80] Ibid.
[81] Lemonick, M, D. (2003) "Lost to the Ages," April 28, 2003 *Time Magazine* Available from: http://www.learntoquestion.com/art/site/log/readings/michael_d_lemon.html (Date accessed 10th August 2017).
[82] Rich, F. (2003) "And Now: 'Operation Iraqi Looting,"' April 27, 2003 *New York Times*, Available from: http://www.nytimes.com/2003/04/27/arts/and-now-operation-iraqi-looting.html (Date accessed 10th August 2017).
[83] Rumsfeld, D. (2003) "DoD News Briefing—Secretary Rumsfeld and Gen. Myers," April 11, 2003. Available from: http://www.freerepublic.com/focus/f-news/891396/posts (Date accessed 10th August 2017).
[84] Robinson, S. (2003) "Grounding Planes the Wrong Way," *Time*, July 14, 2003. Available from: http://time.com/section/politics/Iraq14072003/publicservices-occupation233348 (Date accessed 10th August 2017). Robinson elaborates on particular damage to Iraqi Airways assets: "The airplanes suffered the greatest damage. Of the 10 Iraqi Airways jets on the tarmac when the airport fell, a U.S. inspection in early May found that five were serviceable: three 727s, a 747 and a

of UNSCR, which made it a requirement to act in the best interests of the Iraqi people, this did not happen here.

An explanation of why the looting was allowed, especially in the public industry of Iraq's airways can be found with Peter McPherson, who was in charge of privatisation under Bremer's CPA. McPherson, in unity with our elite decision-making neoconservative architects of the war; Wolfowitz, Feith, Rumsfeld and Cheney, had impregnable faith in the power of the free market. It was the idea of wholesale economic change, which was the aim and mission in remaking Iraq.[85] It was this mission that inspired the Treasury Department to collaborate with USAID, in promoting free-market reforms sought by the neo-conservatives. The plan was placed in a 101-page document entitled "moving the Iraqi Economy from recovery to sustainable growth" and aimed to do this through a broad-based mass privatisation program.[86] Although the public, and even the IGC were concerned about the amount of unemployment, in an already fatigued and crippled nation, the CPA opted to focus on privatisation. USAID awarded the contract for the development of the privatisation mission to Bearing-Point Incorporated, a Virginia based consulting firm.[87] This was allowed despite USAID's inspector general criticising the company for having a competitive advantage in Iraq, if it is to produce plans for its privatisation.[88] McPherson was clear in an interview, that government employment needs to be shrunk, and although he had objections to immediate sales of Iraq's industry, he found an alternative way.[89] He realised that privatisation laws would contravene the Hague and Geneva laws (already noted above that privatisation laws were put in place regardless), so he decided to change how they operated. Under Saddam, any natural resources from the state were not charged to state owned industries, which meant that electricity and any materials required were provided for free, making the ventures seemingly profitable on paper.[90] So McPherson decided to issue what he called "shrinkage," which meant cutting free subsidies, so only the profitable companies would survive after the government subsidies were cut.[91] He deemed this a short term fix in the wake of the barriers against mass privatisation, stating its "more practical, for at least a couple of years than massive privatization."[92] In regards to looting, McPherson believed it was needed *"I thought the privatization that occurs sort of naturally when somebody took over their state vehicle or began to drive a truck that the state used to own, was just*

737. Over the next few weeks, U.S. soldiers looking for comfortable seats and souvenirs ripped out many of the planes' fittings, slashed seats, damaged cockpit equipment and popped out every windshield."
[85] Chandrasekaran, R. (2006) *Imperial Life in the Emerald City: Inside Iraq's GreenZone*, p.128.
[86] Ibid.
[87] Ibid, p.129.
[88] Ibid.
[89] Ibid, pp.129-132.
[90] Ibid, p.123.
[91] Ibid.
[92] Ibid, p.133.

fine."[93] McPherson had said this after hundreds of police cars had been stolen and converted into taxis, which was highlighted to be good for the private sector as it exhausted the state industry, but bad for law enforcement which was a necessity.[94]

Another individual who saw looting as an opportunity was John Agresto, who was brought in to work in the Ministry of Higher Education, declaring that the looting of the universities was not a problem but an "opportunity for a clean start."[95] He was even convinced that knowing nothing about Iraq was beneficial, as he wanted to arrive "with as open a mind as I could have."[96] Agresto also believed that "this is what Americans do: they go and help." This is an example of those who made decisions on the ground in Iraq illustrating the orientalist mind-set, the need for a 'clean start' by Agresto overlooked Iraq's pioneering of law, medicine and mathematics, and that Iraq had a literacy rate of 89% in 1985.[97] Interestingly, where Agresto was from himself, was a New Mexico that only had 46% of its population functionally literate, and 20% were incapable of doing basic maths in understanding a sales receipt.[98] Recruitment into the CPA was not made based on the credentials of capability, it was instead based on loyalties to the republicans and neoconservatives.[99] The process of recruitment within by the CPA was personified by Jay Hallen, who worked for a real-estate firm. Hallen simply sent an email to the White House, and received an offer from the Pentagon to work in Iraq.[100] When Hallen was tasked with opening the Baghdad Stock Exchange, he informed his boss that he had no background in finance. His boss, Thomas Foley, responded with *"it's fine.. You're job is to be the project manager. Your job is to get other people to get things done and contract things out. You will just be the main point of contact."*[101]

The approaches make perfect sense, if one is to remake a nation completely, then knowledge of the nation being re-made is not needed. Instead, if an occupying nation has imperial ambitions, then the occupier only needs knowledge of his own nation, as his job is to make the occupied nation the same as his. Clearly knowledge of Iraq historically and at the time of war was overlooked, both directly and indirectly through failing to act and protect its history and culture. The bombing campaign destroyed not only the nation, creating a job for rebuilding, but it also attempted to

[93] Ibid.
[94] Ibid.
[95] Ibid, p.184-185.
[96] Ibid.
[97] CIA (2004) Iraq Economic Data. 1989-2003 *CIA* Available from: https://www.cia.gov/library/reports/general-reports-1/iraq_wmd_2004/chap2_annxD.html (Date accessed 10th August 2017).
[98] World Bank (1990) *World Development Report 1990* Oxford: World Bank. p178-179; New Mexico Coalition for Literacy (2006) New Mexico Literacy Profile, 2005-2006. found in Klein, N. (2008). *The shock doctrine: The rise of disaster capitalism*. London: Penguin.
[99] Chandrasekaran, R. (2006), pp.101-106.
[100] Ibid.
[101] Ibid, p.108.

destroy the immediate memories that the Iraqis had of the socialist system in which they lived. Therefore, this forced them into the acceptance of privatisation, as from every angle the state's public sector was attacked. In terms of the attempt to coerce Iraqis into accepting the new realities, the fact was that a resistance occurred, and the opposite happened (I will elaborate on this further in this chapter). However, all was not lost for the occupiers, as the bombing, looting and chaos created jobs, of which US companies benefited in what became a new profitable market in the capitalist industry of war. After the CPA's orders (mentioned above) were put in place, with work needing to be done, despite its chaos, Iraq was open for business in the widest de-regulated market.[102] It was through this declaration that the US corporation's Republican loyalists started to count on ties to the Bush Administration, the congressional leadership and the IGC for profit making opportunities, as Senator John McCain put it *"its like a huge pot of honey that's attracting a lot of flies."*[103] Republican lobbyists 'New Bridge Strategies' were keen because possibilities arose through their ties to the Bush Administration, and had their sights on the distribution rights for major US companies in all sectors from grain, to auto parts and shampoo.[104] "Getting the rights to distribute Procter & Gamble products would be a gold mine," declared an unnamed partner at New Bridge, and further elaborated; "One well-stocked 7-Eleven could knock out 30 Iraqi stores; a Wal-Mart could take over the country."[105] Now I will examine who the contracts were awarded to and who they benefited.

Background to Contracts being awarded; before they were awarded

The commencement of the contracts being awarded, was a conference in September 2003, held by the US State Department in Baghdad. The conference gave the IGC and many other influential Iraqis lessons through personal experiences, sharing methods of transformation to capitalism.[106] One of the speakers included Poland's former right-wing finance minister Marek Belka, who was working with Bremer in Iraq. He advised the Iraqis in the conference, that the moment of bedlam and turmoil needed to be utilised by establishing policies that "*would throw many people out of work,"* referencing Poland's lessons as *"un-productive state owned enterprises should be sold off immediately without efforts to salvage them with public funds."*[107] He advised that the Iraqis should

[102] Burns, J, F. (2004) "Looking Beyond His Critics, Bremer Sees Reason for Both Hope and Caution," June 29, 2004 *New York Times.* Available from: https://www.nytimes.com/2004/06/29/world/transition-iraq-departing-administrator-looking-beyond-his-critics-bremer-sees.html (Date accessed 10th August 2017); Kirby, S. (2003) "Bremer Says Iraq Open for Business," *Agence France-Presse*, May 25, 2003 - Found in Klein, N. (2008).
[103] Edsall, T, B., Eilperin, J. (2003) "Lobbyists Set Sights on Money-Making Opportunities in Iraq," October 2, 2003 *Washington Post*,. Available from: https://www.washingtonpost.com/archive/politics/2003/10/02/lobbyists-set-sights-on-money-making-opportunities-in-iraq/88048fc3-3852-4ac5-90f7-edf34381823d/?utm_term=.c9c7eb4464fd (Date accessed 10th August 2017).
[104] Ibid.
[105] Ibid.
[106] Klein, N. (2008), p.342.
[107] Ibid.

"*develop the private sector, starting with the elimination of subsidies" and that this was "much more important and divisive than privatisation."*[108] As Klein highlights, what Belka failed to disclose was that popular pressure had halted his plans for rapid privatisation, which just about saved Poland from a meltdown similar to that of Russia.[109] This was at a time when unemployment was at 67% in Iraq, due to everything previously mentioned above, with malnutrition dominant, the only thing keeping Iraqis from starving was the government subsidies, similar to the UN subsidies under the sanctions period.[110] Another speaker was Yegor Gaidar, who was Boris Yeltsin's former deputy prime minister, a man who was close to the Oligarchs and once deemed a pariah in Moscow, because he brought policies that impoverished millions of Russians.[111] In declaring that Iraq was getting even more shock therapy than Russia did, Joseph Stiglitz, the former World Bank leading economist issued his concerns.[112] However, as Russia had equal opportunities for all foreign corporations from all countries, Iraq was to be initially exclusively for the US corporations. It was at this conference, that Iraq's interim Minister of Industry and Agriculture, Mohamad Tofiq, was present. Tofiq made it clear to Klein that Iraqis had already been left in severe detriment by the removal of tariffs, and the allowing of imports, to such an extent that cutting subsidies would cause a full-blown revolution by the people.[113] In the end this is what happened, the people resisted, however this will be explained towards the end of this chapter.

The same ignorance mentioned above by Agresto and co, was also held by Bremer, the lack of understanding Iraq and its culture was in the end the very inspiration behind the resistance and insurgency that ensued. The work that was carried out to privatise the economy turned into a disaster. Bremer happily embraced comparisons to General Douglas MacArthur in Japan, almost 50 years prior to Iraq, *"It's been 50 years since we've done anything like this. The last time we occupied a country, MacArthur there (Japan) and Lucius Clay in Germany."* [114] When asked by Carlie Rose in an interview whether he had "sufficient understanding of the culture," Bremer replied *"I had served in the region. I had lived in Afghanistan.. Would it have been better if I had been an Iraq expert? Perhaps. It might also have made it harder, because a lot of the so-called experts in our government were skeptical that you could even really bring about great reform in Iraq. I believed you really could do it. Maybe it would have been better if I had been an Iraq expert. I don't know, it's a*

[108] Kurata, P. (2003) "Eastern Europeans Urge Iraq to Adopt Rapid Market Reforms," Washington File, Bureau of International Information Programs, September 26, 2003. *U.S. Department of State;* Reuters (2004) "Iraq Poll Finds Poverty Main Worry, Sadr Popular," May 20, 2004 *Reuters* - Found in Klein, N. (2008), p.342.
[109] Klein, N. (2008), p.342.
[110] Ibid.
[111] Ibid.
[112] Chang, H., Stiglitz, J., World Bank. (2001) *Joseph Stiglitz and the World Bank: The rebel within* (Anthem World Economics). London, Anthem Press.
[113] Klein, N. (2008), p.343.
[114] PBS (2006) Interview with Paul Bremer, January 11, 2006 *PBS: The Charlie Rose Show.* Available from: https://charlierose.com/videos/18529 (Date accessed 10th August 2017).

hypothetical."[115] This is again, an illustration that those making decisions in Iraq, including Bremer, the head authority, knew very little about the Iraqi culture who they were making decisions on behalf of. This is very similar to the case of US economist Wolfgang Stolper, who was head of the US Economic Planning Unit of Nigeria from 1960-1962. Therefore, making decisions with little knowledge on the subject nations culture or history, is not unheard of for the US. Stolper's book *Planning Without Facts,* displayed how it was deemed an advantage to 'not know anything about Nigeria' when conducting economic planning.[116] Parmar highlighted that the vacuum of knowledge, was replaced by prejudice, racism and superficial generalizations.[117] It is a logical and strategic advantage when asserting one nation's will over another, that the less you know about the subject nation, the less compromise will be made regarding the creation and implementation of policy. Therefore, less compromise means that policies will remain un-diluted, meaning interests of the imperial nation will be served absolutely, against the interests of the subject nation, which will remain unknown or unacknowledged. Therefore, the very fact that this has existed before and is occurred again in Iraq, signifies that it may be tactical and strategic.

If Bremer and co were not experts in Iraq, and were not interested in making the best decisions to help the Iraqis who were desperately in need of help, then who were they making decisions in the interests of? At this point of the chapter, the ignorance regarding Iraq within the CPA, the removal of public entities that the people of Iraq depend on, the removal of tariffs, the immunity for contractors and the push for privatization suggests that the Iraqi peoples' interests are not being served. Instead, CPA initiatives have so far benefitted corporations, capitalists and the interests of those wanting a free-market in Iraq. The irony is that institutions like the UN who provide regulation through the Geneva and Hague laws, are almost redundant in the reviewing, overseeing and accountability enforcing, in the work of the CPA and all those occupying the country. How this culture of removing the UN and any other actors who may contribute to US accountability proves frightening in the international arena of politics, as laws and customs of war seem to be redundant. In defense of the UN and US, the only explanation of this, or benefit of doubt, comes in the understanding that things happen quickly in times of war. In such cases institutions may struggle to keep up with every decision and process. However, Iraq was the most documented war in history, and such institutions like the UN failed in their role in watching over the CPA, in protecting the Iraqi people. One then begins to question why the UN headquarters were not heavily protected, and the

[115] Ibid.
[116] Stolper, W.F. Carter, N, G. & Harvard University Center for International Affairs (1966) *Planning without facts : lessons in resource allocation from Nigeria's development*, Cambridge, Mass.: Harvard University Press.
[117] Parmar, I. (2015) *Foundations of the American Century: The Ford, Carnegie, and Rockefeller Foundations in the Rise of American Power*, Columbia University Press, p.150.

terrorist attack was allowed to happen in August 2003.[118] It was only in 2008 when the UN returned to Baghdad in full force,[119] again raising the question of how security and a more instant and rapid return was not facilitated by the US. One is curious to ask whether the US benefitted from the UN's absence in Iraq. Would the UN, if in Iraq at the time, have allowed the policies and decisions that were taken by the CPA and Bremer? Applying the published UNSCR theoretically, on paper, the answer is no. However, without enforcement powers, international laws are dismissed, as was the case with Iraq. It was the UN's responsibility to make sure that the best methods and practices were used in helping and assisting the Iraqi people, both immediately and in the long term. However, in the UN's absence, this was not the case.

Elite Disagreement over speed of privatisation

The elite decision-makers were initially in tactical disagreement regarding the rapid privatisation. Decisions regarding privatisation was something that Jay Garner, the initial head of the US coalition forces was not in support of, stating that the Iraqis should decide this themselves. As mentioned previously in this study, Garner made it clear that he wanted to follow what he thought the US was in Iraq to do; hand over authority to the Iraqis within 90 days. However, economic agenda driven timetable was to prevail over all the other issues of famine, chaos, looting and resistance that took place. Whilst this was happening, Washington focused on the timetable for privatising oil and other industries. Tactical disagreement amongst the elite stimulated the removal of Garner as the head authority, instead an expert on privatisation (discussed later in this chapter) was sought for and implement by Bush, Rumsfeld and Powell. It is evidently clear that the only man who intended to do what the UN required of Iraq, and what the US proposed they would do pre-war was Garner.

Concerns of privatisation internally in Iraq

Those inside Iraq cautioned against the rapid privatisation, one of which was Iraq's interim trade minister, Ali Abdul-Amir Allawi, warned against forcing Iraq's economy to transition itself rapidly into a free-market system, stressing that forcing such a system with intentions on quick transitions, would fuel unemployment and heighten political instability.[120] Allawi declared *''We suffered*

[118] UN News (2003) Top UN envoy Sergio Vieira de Mello killed in terrorist blast in Baghdad *UN News* Available from: http://www.un.org/apps/news/story.asp?NewsID=8023#.WZRRGE2M2Uk (Date accessed 10th August 2017).
[119] NPR News (2008) U.N. Returns to Baghdad in Force. *NPR News* Available from: http://www.npr.org/templates/story/story.php?storyId=88415104 (Date accessed 10th August 2017).
[120] New York Times (2003) Iraqi Official Urges Caution On Imposing Free Market. *New York Times* Available from: http://www.nytimes.com/2003/10/14/business/iraqi-official-urges-caution-on-imposing-free-market.html (Date accessed 10th August 2017).

through the economic theories of socialism, Marxism and then cronyism.. Now we face the prospect of free-market fundamentalism.''[121]

Allawi highlighted that imposing a similar reorganization on Iraq that occurred in other nations would represent a *''flawed logic that ignores history… The economies of Eastern Europe collapsed due to internal problems,*''[122] This process was even referred to as the 'yard sale' by the economist, who stressed the positive effects.[123] The transformation of Iraq's economy and its permanent, long term implementation started with a bold declaration by the CPA through the introduction of a new currency.[124] Contracts were awarded to major oil companies, Shell, BP, ExxonMobil, Chevron, and Russian Lukoil even trained Iraqis for free, in the hope of securing access to big contracts for Iraq's reserves later on.[125] Before looking at the contracts as a case study, I will outline the clairvoyant nature of the man implementing them.

Bremer was a man who knew clearly about all the foreseeable repercussions of privatisation, in November 2001, for the clients of his newly launched company *Crisis Consulting*, Bremer outlined in a paper, the implications of privatisation. Bremer stated in the paper entitled *'New Risks in International Business'* that *"free trade has creation of unprecedented wealth,"* but it has *"immediate negative consequences for many."* It *"requires laying off workers. And opening markets to foreign trade puts enormous pressure on traditional retailers and trade monopolies... leading to growing income gaps and social tensions."*[126] However, the persistence in implementing the plan prevailed.

Contracts awarded

The budget for Iraq's reconstruction came from three separate allocations; $38 billion from the US Congress, $15 billion from other countries,[127] and the $23 billion from the UN administered Development Fund for Iraq (DFI), which was funded through Iraq's oil revenues.[128] The first major contract went to the company that Cheney was former CEO of – Halliburton, whose subsidiaries; Kellogg, Brown and Root, Boots and Coots International Well Control Inc. and Wild Well Inc. were

[121] Ibid.
[122] Ibid.
[123] The Economist (2003) "Let's All Go to the Yard Sale," September 27, 2003 *The Economist* Available from: http://www.economist.com/node/2092719 (Date accessed 10th August 2017).
[124] Ibid.
[125] The Washington Post (2004) Big Oil Companies Train Iraqi Workers Free Global Companies Offer Services to Establish Goodwill, Win Business. *Washington Post* Available from: http://www.washingtonpost.com/wp-dyn/articles/A29595-2004Nov5.html (Date accessed 10th August 2017).
[126] Bremer, L. (2001) "New Risks in International Business," November 2, 2001 *Viewpoint* Available from: *http://www.bettermanagement.com/library/library.aspx?l=4521&pagenumber=1* (Date accessed 10th August 2017).
[127] US Congress (2006) Congressional Budget Office. U.S. Congress Washington, DC 20515 Paying for Iraq's Reconstruction: An Update December 8, 2006. *US Congress* Available from: https://www.cbo.gov/sites/default/files/109th-congress-2005-2006/reports/12-08-iraq.pdf (Date accessed 10th August 2017).
[128] Global Policy Forum (2003) Development Fund for Iraq. *Global Policy Forum* Available from: https://www.globalpolicy.org/humanitarian-issues-in-iraq/development-fund-for-iraq.html. (Date accessed 10th August 2017).

awarded $489.3 million by the US in 2003,[129] and by the end of the war took $39.5 billion in contracts awarded from Iraq.[130] The CPA recommended that the education system of Iraq was to also be redrawn in the name of erasing Saddam's legacy. For the process of creating it from scratch, Washington based Creative Associates received a two-year deal in 2003, worth over $100 million.[131] The CPA who was understaffed to oversee the contractors, decided to hire additional contractors to oversee the contractors. Contracts were given to CH2M Hill, who were a construction and engineering company based in Colorado, and then they also subcontracted work to the UK based engineering firm, Halcrow, in a deal worth $28.5 million.[132] In addition, US Engineering firm Foster Wheeler received $8.4 million along with US firm AECOM, who was awarded $21.6 million.[133]

One of the motives for the intervention in Iraq was to bring and establish democracy. The role of democracy building was also contracted privately to Research Triangle Institute, a US, North Carolina based firm for $466 million.[134] The company was headed by a group of high level Mormons, aiming to instil democracy in a Muslim country, James Mayfield, who was the president of the company e-mailed home a letter stating; he imagined the Iraqis would erect a statue of him as Iraq's "founder of democracy."[135] The contracts were loosely awarded, when the US needed interrogators and translators, it awarded CACI International Inc a contract, where the wording of the contract was so loose that phrases like "information technology" were stretched to interrogation, however contractors did not have to worry, it was the Iraqi people who should be concerned.[136] Even the recruitment of soldiers was given to head hunting company L-3 Communications, who were paid bonuses for signing up soldiers.[137] Other examples included Bechtel, who were awarded contracts worth $680 million for rebuilding infrastructure, Washington Group International received $100 million, Perini Corp $100 million, and Flour Corp $100 million, all of which were for security by the US army.[138]

[129] CNN (2003) Iraq rebuilding contracts awarded Halliburton, Stevedoring Services of America get government contracts for early relief work. *CNN News* Available from: http://money.cnn.com/2003/03/25/news/companies/war_contracts/ (Date accessed 10th August 2017).
[130] Financial Times (2013) Contractors reap $138bn from Iraq war - *Financial Times*. Available from: https://www.ft.com/content/7f435f04-8c05-11e2-b001-00144feabdc0?mhq5j=e4 (Date accessed 10th August 2017).
[131] Education Week (2004) Creative Associates Gets New Iraq Contract. *Education Week* Available from: http://www.edweek.org/ew/articles/2004/07/14/42iraq.h23.html (Date accessed 10th August 2017).
[132] BBC News (2004) US firms win more Iraq contracts: The US Defense Department has awarded seven Iraq reconstruction contracts worth a total of about $130m (£72.3m) to consortia of US firms. *BBC News* Available from: http://news.bbc.co.uk/1/hi/business/3500324.stm (Date accessed 10th August 2017).
[133] Ibid.
[134] Klein, N. (2008), p.348.
[135] Ibid.
[136] Witte, G. (2005) "Contractors Were Poorly Monitored, GAO Says," *Washington Post* Available from: http://www.washingtonpost.com/wp-dyn/content/article/2005/04/29/AR2005042901706.html (Date accessed 10th August 2017).
[137] Merle, R. (2006) "Army Tries Private Pitch for Recruits," *Washington Post* Available from: http://www.washingtonpost.com/wp-dyn/content/article/2006/09/05/AR2006090501508.html (Date accessed 10th August 2017).
[138] CNN (2003) Bechtel wins Iraq contract Private contractor wins State Dept. work worth up to$680M to rebuild Iraq's infrastructure. *CNN News* Available from: http://money.cnn.com/2003/04/17/news/companies/war_bechtel/index.htm (Date accessed 10th August 2017).

Even the economy that the CPA was in charge of, was handed to BearingPoint, which was a Netherlands based offshoot of KPMG, they were tasked with creating a market based system with a contract of $240 million.[139] Why a Dutch firm and not a US firm was given this task was later controversially highlighted by *The Independent,* who established that BearingPoint, in delaying their financial reports were found to have donated $117,000 to Bush election campaigns in 2000 and 2004, according to the Centre for Responsive Politics, more than any other contractor in Iraq had donated.[140] Money was also spent on think tanks with UK firm Adam Smith Institute helping in the privatisation process.[141] Meanwhile training the police and army was contracted to DynCorp, Vinnell and the Carlysle Groups USIS subsidiary.[142]

Simultaneous to the hurriedly awarding contracts to US and other foreign firms, the Iraqi interim minister of industry and agriculture Mohamad Tofiq asked Bremer for seventeen generators to open and activate the Iraqi state's cement factories. Tofiq suggested this would aid reconstruction, and would also put thousands of Iraqi's to work, this was a request ignored by Bremer.[143] Ironically, it was Paul Brinkley who was labelled a 'Stalinist' for trying to kick-start Iraq's 192 state owned enterprises, establishing that Bremer had put edicts in place to prevent the Iraqi Central Bank from giving loans to state owned enterprises.[144] However, Brinkley still managed to arrange $5.6 million worth of loans, and had plans for a further $20 million, creating jobs that lead to directly reducing attacks on coalition forces by 30%, which came out in a report by the US military's Joint Warfare Analysis Centre.[145] All the foreign corporations preferred to bring in labourers from overseas, ones generally much cheaper than hiring and training the Iraqis, this further aided unemployment and tension. Although non-US firms were also awarded contracts, the US firms were the ones who received the highest paid contracts. In a 2013 report, it was established that Halliburton gained the most at $39.5 billion, two Kuwaiti firms; Agility Logistics, and Kuwaiti state-owned Kuwait Petroleum Corporation recieved the second and third highest amounts in $7.2 billion and $6.3 billion worth of contracts.[146] A comparison of the number of contracts awarded tells the story in itself: In 1991's Gulf War, for every 100 soldiers there was 1 contractor, in 2003's Iraq War there

[139] Klein, N. (2008), p.348.
[140] The Independent (2007) Shock and oil: Iraq's billions & the White House connection *The Independent* Available from: http://www.independent.co.uk/news/world/americas/shock-and-oil-iraqs-billions-amp-the-white-house-connection-431977.html (Date accessed 10th August 2017).
[141] Ibid.
[142] Ibid.
[143] Klein, N. (2008), p.349.
[144] The Washington Post (2007) Defense Skirts State in Reviving Iraqi Industry. *The Washington Post* Available from: http://www.washingtonpost.com/wp-dyn/content/article/2007/05/13/AR2007051301165_2.html (Date accessed 10th August 2017).
[145] Ibid.
[146] Financial Times (2013).

was 10 soldiers for every 1 contractor, by 2006, for every 3 soldiers there was one contractor, and by 2007, for every soldier there was 1.4 contractors.[147]

As noted above the UNSCR 1483 required that a Development Fund for Iraq (DFI) had to be made and held by the Central Bank of Iraq, under the monitoring of the International Advisory and Monitoring Board (IAMB), through auditing by approved public accountants.[148] The DFI must be used at the discretion of the CPA in consultation with the IGC in a transparent manner to meet the *"humanitarian needs of the Iraqi people, for the economic reconstruction and repair of Iraq's infrastructure, for the continued disarmament of Iraq, and for the costs of Iraqi civilian administration and for other purposes benefiting the Iraqi people."*[149]

The IAMB had conducted a report which covered the period from the establishment of the DFI on the May 22, 2003, until the dissolution of the CPA on June 28th 2004. In the report, there were highlighted concerns from the audit by the IAMB, in which point number six was regarding 'non-competitive contracting' by the CPA.[150] In the report, concerns were raised about contracts awarded to Halliburton without competitive bidding, the CPA had declared that these were due to 'exceptional circumstances.'[151] It should be noted that in December, 2003, our elite decision-maker, Paul Wolfowitz, signed a Department of Defence document barring non-coalition nations including Russia, France, Germany and Canada from bidding on prime contracts for the reconstruction of Iraq.[152] This was a fitting reflection of the Cold War perspective that Wolfowitz had; to demonstrate that friends will be taken care of, enemies will be punished and those who refuse to support you will regret not having done so.[153] The IAMB required audits and details of these contracts with 'special circumstances,' and from January 2004 contracts were to no longer be awarded without competitive bidding. In April 2004, the IAMB, in conducting a special audit, requested further information from the CPA, including audits requested from the US Defence Contract Audit Agency (DCAA).[154] A response from the CPA on April 22nd 2004 stated the CPA was liaising with government agencies to obtain the reports.[155] In following up its request in June 2004, there were delays from the CPA in producing these reports to the IAMB, and only re-dated copies of the DCAA audit reports

[147] Merle, R. (2006) "Census Counts 100,000 Contractors in Iraq," *Washington Post* Available from: http://www.washingtonpost.com/wp-dyn/content/article/2006/12/04/AR2006120401311.html (Date accessed 10th August 2017), and Ricks, T, E. (2006) Fiasco: *The American Military Adventure in Iraq* New York, Penguin.
[148] UNSCR Resolution 1483 (2003), Section 12.
[149] UNSCR Resolution 1483 (2003), Section 13 and 14.
[150] IAMB (2004) Report of the international advisory and monitoring board of the development fund for Iraq covering the period from the establishment of the DFI on May 22, 2003 until the dissolution of the CPA on June 28, 2004. *IAMB* Available from: http://www.iamb.info/pdf/iamb_12142004.pdf (Date accessed 10th August 2017).
[151] Ibid, p.5.
[152] Solomon, L, D. (2007) *Paul D. Wolfowitz – Visionary Intellectual, Policymaker, and Strategist.* Praeger Security International, p.99.
[153] Ibid.
[154] IAMB (2004).
[155] Ibid.

were received in October 2004, the re-dating had taken place by the DCAA to 'safeguard proprietary information of the concerned parties.[156] The reports by the DCAA were found by the IAMB to have many shortcomings regarding $812 million, where the technical evaluations that were required had not been completed; costs were unsupported and also over-stated.[157] As a result of this audit in the establishment of corruption, and a lack of transparency, the IAMB instructed an external auditor to monitor the DFI, this auditor was the KPMG.[158] The KPMG audits found that although oil money was inserted into the DFI by the CPA, an 'unknown quantity of petroleum and petroleum products was smuggled out of Iraq.'[159] In addition, there was no adequate metering of Iraqi oil, with a lack of satisfactory contracts for the work being sourced, and further issues of transparency were found.[160] This was based on what KPMG, as an external auditor was allowed to identify and therefore, managed to find, as in the report it also states that certain ministries of the CPA were denying access to information.[161] There are many cases of fraudulent behaviour and abuse in Iraq, I will provide the case of Custer Battles.

Custer Battles

An example of the over-estimation of costs, lack of control over contracts and non-competitive biddings was personified in the case of Custer-Battles. Michael Battles arrived in Baghdad with $450 in his pocket and plans to make millions through reconstruction contracts, with no security detail, no supplies and no compound to operate in.[162] Coming from Jordan in a taxi that his friend had loaned him money for, he had previously studied at West Point, and been employed by the CPA previously, through contacts in the White house.[163] He stopped off at the Republican Palace, where the CPA and the rest of the US representatives who were running Iraq were staying, where all that was needed to enter was a US passport.[164] Walking through the hallways of the palace, making connections and handing out his business card, he quickly learned that the CPA had a two-month plan to re-open the Baghdad airport, needing a private contractor that could deploy guards and baggage screeners in a few weeks.[165] Battles managed to convince a CPA official to put him on the list of considered companies invited to bid for the work. Battle's was a good talker, with the 'gift of the gab,' who managed to sell himself as someone who was an expert about private security. His partner was a former Army Ranger, named Scott Custer, who had never previously guarded an airport, and had a firm named Custer Battles LLC. The firm only had previous security related

[156] Ibid, p.6.
[157] Ibid.
[158] Ibid, p.7.
[159] Ibid.
[160] Ibid.
[161] Ibid.
[162] Chandrasekaran, R. (2006), p.152.
[163] Ibid.
[164] Ibid.
[165] Ibid.

experience in providing a security assessment for Afghanistan's Ministry of Aviation, this was through Custer himself having a day job in Reno, Nevada, as a counterterrorism teacher.[166] Knowing that they needed partners to carry out the work, Battles contacted other firms, one of which was headed by Robert Isakson, a former FBI agent. Isakson's company provided anything and everything needed in conflict areas, ranging from trailers, and furniture, to cooks and cleaners etc.[167] DRC Incorporated, Isakson's firm, built roads, helicopter landing pads, and temporary housing for NATO troops in Kosovo, and had also provided personnel to the US three days after the US landed in Somalia in 1993.[168] Having met with Isakson prior to Iraq, Battles was told by Isakson that it would be the Iraqi Government that would issue contracts not the US, and that Iraqi contacts were needed. In offering to be a broker for Isakson, Battles informed him that in regards to Iraq "I know everyone there."[169] Three weeks after his visit to the Republican Palace, the CPA issued a request for bids, in response Custer drew up a bid promising 138 guards, with *"a full security and screening team for passenger service"* from a *"coalition of the willing nations*" in 14 days.[170] Custer Battles who described itself as a *"leading international risk management firm with extensive experience assisting large organisations reduce and manage risk in extremely volatile conditions,*" was awarded the contract two days after the bid was delivered, ahead of DynCorp International and ArmorGroup International.[171] Although Custer later stated that *"we got the contract because we were young and dumb and didn't know better*" and "*anyone with experience would have said they'd be there in 8 weeks,"* the damage was already done by that time.[172] The CPA's deputy senior adviser to the Ministry of Transportation was critical of the three-member selection panel of the CPA, stating "*they gave people three days to bid, They went up on bulletin board with this very general request – I mean, here's this ten-square-mile airport – to provide security for civilian flights."*[173] Some firms had refused to bid, and requested more information, with other firms stating that they needed at least six weeks, this was too slow for the CPA, and the 'two week plan' of Custer Battles was accepted.[174] Although Custer Battles said that they had a *"ready for activation"* loan in their bid, they requested start up payments from the CPA, which were in the form of $2 million, this was given in bricks of new hundred dollar notes from the Federal Reserve of New York, and taken away by Battles in a 'duffle-bag.'[175]

[166] Ibid, p.153.
[167] Ibid.
[168] Ibid.
[169] Ibid.
[170] Ibid.
[171] Ibid, p.154.
[172] Ibid.
[173] Ibid.
[174] Ibid, p.155.
[175] Ibid.

Having been approached by a Pakistani oil trader, Isakson who was also advising Custer Battles, suggested they bid for a "cost-plus" government contract which would enable the re-imbruing of expenses, plus a fixed fee through the use of a shell company in Lebanon to inflate the cost of goods provided, to enable 100% profit.[176] Despite Isakson refusing these advances due to the illegality of it, Custer Battles continued, resulting in Isakson disbanding from the company.[177] Accidently, a Custer Battles spreadsheet was left after a meeting with U.S. officials, it was established they had submitted invoices on Iraq's currency contract totalling almost $10 million, when actual costs were below $4 million.[178] Examples of this was electricity costs of $74,000 were invoiced to the CPA at $400,000, along with surplus dis-functioning trucks that did not work, which were bought in Iraq for $228,000, but billed to the CPA at $800,000.[179] Custer Battles even repainted Iraqi Airway forklifts, and billed the CPA thousands, claiming it was leased from abroad, when really sham companies registered in the Cayman Islands and Lebanon drew the receipts.[180]

Illegal weapons were used – No accountability

By the time Custer Battles was investigated, after a whistle-blower lawsuit which Isakson contributed to, the company had taken over $100 million in contracts.[181] The lawlessness of the company was not only on the financial side, it was unlawful in the work it carried out as well. Ben Thomas, was a fighter who was struggling to turn professional, and looking for work, so he called Custer Battles human resources office, where all he needed to say was *"I used to be a SEAL"* and he got a job in Iraq.[182] First he was told he would be *"close protection*" and was given an M4 rifle with seven magazines, each capable of holding 30 rounds, but he was only given twenty bullets, with a vest that was for the Police in the US, and not fit to withstand AK-47 bullets.[183] Thomas made a point of both the inadequacy of the bullets and the vest in times of ambush and heavy weapon use, but to no avail. By the time Thomas was set to start work, Custer Battles had lost the close protection contract, but had another contract of collecting seized weapons from the military. When he asked why they were recycling weapons, Thomas was told that the firm hiring Custer Battles needed the weapons for a contract to train the army, something Thomas did not question.[184] In an ambush that took place, after being shot at continuously, Thomas along with his co-workers, was in

[176] Ibid, p.156.
[177] CBS News (2009) Billions Wasted In Iraq? U.S. Official Says Oversight Was "Nonexistent" *CBS News* Available from: https://www.cbsnews.com/news/billions-wasted-in-iraq/3/ (Date accessed 10th August 2017).
[178] Ibid.
[179] Ibid.
[180] Chandrasekaran, R. (2006), pp.157-158.
[181] New York Times (2006) U.S. Contractor Found Guilty of $3 Million Fraud in Iraq. *New York Times* Available from: http://www.nytimes.com/2006/03/10/world/middleeast/us-contractor-found-guilty-of-3-million-fraud-in-iraq.html (Date accessed 10th August 2017).
[182] Chandrasekaran, R. (2006), pp.158-159.
[183] Ibid, p.159.
[184] Ibid, p.160.

a predicament, causing Thomas to shoot under a car at the ambushers, one of whom was examined after being shot, to find his *"guts spewed out like someone had uncoiled him and spread him out."*[185] It was here, that Thomas confessed using bullets that were supplied by a separate company. The bullets were filled with platinum, to penetrate through steel, and upon entrance to the flesh, would mushroom and expand with excess gunpowder to really damage and destroy the recipient.[186] The use of these on the battlefield was banned by the Hague Conventions of 1899, but because Thomas was not a US military soldier, he could not be tried, he was a contractor to the CPA who did not specify which bullets should and could be used.[187]

The case of Custer Battles was but one of many. The unregulated environment of contractors both legally and without an audit system on the ground, meant that private contractors were free to do as they pleased without any accountability.[188] It is worth noting that the Custer Battle's case of defrauding the US, and wasting US tax payer's money was dropped in the end. It was established in a US court, that the CPA was not a government entity, and that although fraudulent receipts were made in numerous cases with evidence, it was outside of the US court's jurisdiction.[189] Because of the ambiguity in the setup of the CPA, it could not be sued under the Federal False Claims act in the US.[190] This was not just a major setback for accountability, but also a big wake up call for the revision of international laws and regulations in an era of new initiatives in war. Finally, the fate of all the other fraudulent companies who operated through the CPA in Iraq is worth noting. The case of Custer Battles established the precedent of immunity for all other contractors who acted illegally and fraudulently.[191] However, CPA order 17, was put in place as the CPA was leaving, and had already created the first hint that contractors were immune, as they could not be tried in Iraqi courts either.

CPA Iraq's missing money

This next section will examine the money that went missing from the DFI under the CPA. I will start by defining the concept of economic imperialism for the purpose of this section. I will then look into the arguments that are presented both for and against economic imperialism, with a conclusion on the extent to which it took place in Iraq.

Significance of Economic Imperialism

[185] Ibid, p.161.
[186] Ibid, p.162.
[187] Ibid.
[188] Pemberton, M.& Hartun W, D. (2016) *Lessons from Iraq: Avoiding the Next War* Routledge publishings.
[189] Merle, R. (2006) "Verdict against Iraq Contractor Overturned," *Washington Post.* Available from: http://www.washingtonpost.com/wp-dyn/content/article/2006/08/18/AR2006081801171.html (Date accessed 10th August 2017).
[190] Ibid.
[191] New York Times. (2006) "On Technical Grounds, Judge Sets Aside Verdict of Billing Fraud in Iraq Rebuilding," *New York Times.* http://www.nytimes.com/2006/08/19/world/middleeast/19reconstruct.html (Date accessed 10th August 2017).

When considering the case of Iraq and imperialism, it needs to be acknowledged that when rebuilding a nation, monetary resources play a fundamental role in the process. Otherwise, rebuilding would become difficult if not impossible, depending on the severity of the material resource deficiency that is present. Therefore, when considering the question of whether Iraq is a victim of economic imperialism, one must look at the way the nation is controlled economically, and the impact this has on the whole imperialism process.

Defining Economic Imperialism

In understanding economic imperialism, one can state that it has brought great controversy, and similar to imperialism in general, there are many diverse conceptualisations. I will therefore provide a key observation, before providing the definition. One must distinguish between the economic evaluation of imperialism, and 'economic imperialism.' The former is a more evaluative analysis of the economic effects that have occurred as a result of imperialism, being more of a historical monistic phenomenon.[192] This phenomenon looks at imperialism and the economic repercussions that it can have on a nation, being a short-term advantage in terms of economic gain. The latter is a feature of the imperialism itself, as if we are to state that the definition of imperialism (discussed in the intro of this study in chapter one) is the domination of one nation or collective over another, economic imperialism would be the exploitation of such domination, for a continuous material gain. Therefore, this would make it a more long-term initiative, to be the beneficiary of that nation in the long-term.[193] The latter definition brings forth the notion that economic imperialism is not merely to pillage as a one off, but instead it looks to formulate a long-term relationship, where it continues to live off the fruits of the subject nations labour. Therefore, the case in this study being Iraq, the US will therefore axiomatically (for the purposes) play the nation that would be classed as the economically imperial nation. I will now elaborate on how this is the case.

Immediate Economic Imperialism: CPA in Iraq

The first example of economic imperialism will follow through directly from our definition above, on how the imperial nation dominates the new nation to make financial gains. The example will show not only its existence, but the intention for it beforehand through its outcome. After the fall of the Iraqi government in 2003, which was the Ba'ath Party, the CPA was introduced to effectively run and govern the nation, until the Iraqi interim government was installed on 28th June 2004.[194] Pre-war in Iraq, there was a large amount of scholarly literature that looked into the invasion,

[192] Landes, D, S. (1961) 'Some Thoughts on the Nature of Economic Imperialism' *The Journal of Economic History 21(4)*, p.496.
[193] Ibid.
[194] Herring, E. & Rangwala, G. (2005) 'Iraq, Imperialism and Global Governance' *Third World Quarterly 26(4-5)*, p.667.

articulating how it was not concerned with weapons of mass destruction or terrorism but other incentives such as oil.[195] As we already know, prior to the inception of the CPA, there were two options available regarding how Iraq should be governed. This was either to form a rapid turnaround and give the nation back to selected Iraqis, or form a robust occupation.[196] There was an ideologically charged faction that wanted the new Iraq to have a free-market economy, a privatised industry, flat-tax, privatised oil, a new education system, a NATO type military with a multi-ethnic and sect-based democratic government.[197] This was all seen as beyond the capacity of the Iraqis to pursue immediately, and therefore the CPA were handed power by the Bush administration.[198] As mentioned previously, CPA had full authority to enact laws, print currency, collect tax, deploy law enforcement authority through police and military, along with being able to spend Iraq's money.[199] Applying the imperialism concept to the nation's economy here, it can be said with absolute certainty that the US led coalition had full control of Iraq's economy, juridical systems and law enforcement mechanisms (used to hold secure economical assets and material). Therefore, they had full power to effectively determine and dominate Iraqi economics, meaning they are imperialistically authoritative.

As noted above, UN resolution 1483 of May 2003 imposed a duty that all of Iraq's oil revenues be paid into what was named the DFI, and this fund was to be spent entirely on the Iraqi people with independent auditing. The CPA was required to hire independent auditors to audit the DFI. However, the firm appointed at a cost of $1.4 million was not a certified public accountant, but a consultancy meaning that they were not qualified to undertake the task at hand.[200] This provoked the imposition of the accounting firm from a Bahrain branch of 'KPMG' being appointed as auditors of the DFI.[201] This was followed by a complete lack of co-operation from the CPA, as KPMG auditors faced 'resistance from CPA staff'[202] in co-operating with proceedings to audit the DFI, whilst also facing other dangers of survival in Iraq which were expected and common at the time.[203] Once auditors had carried out their auditing despite the obstacles placed in front of them (intentionally or not), many interesting discoveries were made. KPMG had found that record keeping was a major issue, as the CPA had on numerous occasions issued advance payments for invoices from the

[195] Dyer, G. (2003) '*Ignorant armies: sliding into war in Iraq.*' Toronto: McClelland & Stewart, p.64.
[196] Galbraith P, W. (2006) '*The end of Iraq, how American incompetence created a war without end.*' London, Simon and Schuster, p.117.
[197] Ibid.
[198] Ibid.
[199] Chandrasekaran R. (2006), pp.37-46 and pp52-54
[200] Cooper, C. & Catchpowle, L. (2009) 'US imperialism in action. An audit based appraisal of the Coalition Provisional Authority in Iraq' *Critical Perspectives on Accounting*, p.723.
[201] Ibid.
[202] Ibid.
[203] BBC News (2004) 'Bomb kills oil-for-food auditor' *BBC News World Edition*, Available from: http://news.bbc.co.uk/1/hi/world/middle_east/3863917.stm (Date accessed 18th August 2017).

Defence Energy Support Centre (DESC), for fuel imports totalling £645.000.000.[204] For 37 of these cases (amounting to $185,039,313), the CPA did not provide contracting files for contracting procedures, nor did they undertake monitoring, or keep an accounting of exactly who had been paid, and where.[205] In a secluded, impartial case the whole tendering process of a $95,560,000 was unobtainable by KPMG, despite various efforts in seeking to obtain it.[206] These findings were established by KPMG, when reviewing the 'Program Review Board' (PRB), which was established in order to make sure that the DFI was being used purely for the purpose of its imposition, which was to be transparently utilised in the interests of the Iraqi people. It must be emphasised at this point, that the examples provided are only a few, with further confirmation that the $8.8 billion of the $23 billion in the DFI did not have its use or whereabouts accounted for,[207] which completely goes against the purpose that the DFI was brought in for.

It is fair to say at this stage, that the case of missing Iraqi money can be judged from an economic evaluation perspective of imperialism, or alternatively economic imperialism. I believe that the economic evaluation of imperialism, which looks at the short-term gains that are intended and sought, right from the outset by the imperial nation is more applicable in the case of Iraq. I deem it the case here, that the US have almost from the outset, manoeuvred themselves into a position of authority, perfectly placed to control and have full discretion over Iraq's institutions economically, with evidence of corruption and unaccounted amounts of currency missing under its reign. It can be argued that the material gain of oil money, constitutes a clear exploitation of the Iraqi nation's wealth, which instead should purely be used for the needs of the Iraqi people. The fact that this abuse of power was done in secret, indicates that economic imperialism took place. However, in the CPA's defence, times may have been chaotic, the CPA may have been understaffed, and what happened may be argued as not intentional, but instead related to procedural flaws. In any case, this should have been admitted by the CPA, instead of not co-operating with auditors, and acting in a non-transparent manner.

Legacy Left In Iraq; the work of the contractors and the impact on the Iraqi people

When Bechtel left Iraq in 2006, Iraqi politician Nayif Jassim stated *"It is much worse than in the time of Saddam Hussein.. Most Iraqi's wish Saddam would be back in power now that they lived out the hardships of the occupation. The Americans did nothing but loot our oil and kill our people."*[208] Bechtel, whose board members had close ties to the Bush administration, had received $2.3 billion

[204] Cooper, C. and Catchpowle, L. (2009), p.727.
[205] Ibid.
[206] Ibid.
[207] Ibid.
[208] Jamail, D. & Al-Fadhily, A. (2006) "Bechtel Departure Removes More Illusions," *Inter Press Service*. Available from: http://www.ipsnews.net/2006/11/iraq-bechtel-departure-removes-more-illusions/ (Date accessed 10th August 2017).

of Iraqi reconstruction funds and U.S. taxpayer money, but left without having completed most of the tasks it was contractually obligated to complete regarding water treatment systems, electricity plants, sewage systems, airports and roads.[209] Bechtel was brought in for infrastructure, electricity, and water. However, all three areas in Iraq were worse when they left, than under Saddam Hussein.[210] That includes the 12 years of economic sanctions since the first Gulf War in 1991, a period that former UN humanitarian coordinator for Iraq, Dennis Halliday described as "genocidal" for Iraqis. In 2006, the average household in Iraq received only two hours of electricity per day, with 70% unemployment, 68 % of Iraqis had no access safe drinking water, only 19% had functioning sewage services, and even oil-production did not match pre-invasion levels.[211] The group Medact recently said in a study that treatable conditions such as diarrhoea and respiratory illness were causing 70% of all child deaths, and that *"of the 180 health clinics the U.S. hoped to build by the end of 2005, only four have been completed – and none opened."*[212]

Electricity demand increased due to the removal of trade tariffs as per CPA order 17 (mentioned above). This allowed electrical imports, creating demands that Iraq could not physically meet, under its existing infrastructure. This is something the US should have thought about much more meticulously, as allowing the imports that lead to increased demand caused Iraqis to run generators using gasoline, which was also scarce at the time.[213] *"We inherited an exhausted electricity system in generating stations and distributing nets, but we were able to supply 50 percent of consumer demand during heavy load periods, and more than that during ordinary days. The situation now is much worse and it seems not to be improving despite the huge contracts signed with American companies. It is strange how billions of dollars spent on electricity brought no improvement whatsoever, but in fact worsened the situation"* said an engineer working for the ministry of electricity.[214] The engineer elaborated that *"we in the ministry have not received any real equipment for our senior stations, and the small transformers for the distributing nets were of very low standard*."[215] Ahmed al-Ani, an Iraqi contractor criticised Bechtel; *"They charged huge sums of money for the contracts they signed, then they sold them to smaller companies who resold them again to small inexperienced Iraqi contractors. These inexperienced contractors then had to execute the works badly because of the very low prices they get, and the lack of experience."*[216] Despite the billions spent on security, this was the worst problem in Iraq, with the British medical

[209] Ibid.
[210] Ibid.
[211] Ibid.
[212] Ibid.
[213] Ibid.
[214] Ibid.
[215] Ibid.
[216] Ibid.

journal Lancet estimating 655,000 excess deaths in Iraq, as a result of the invasion and occupation.[217]

Ironically, the ones who were really helping, turned out to be people like the condemned Shiite cleric, Moqtada Al-Sadr, who through donations from mosques, hired people from Iran to fix power, phone lines and even organised the sewage problems stating "what I can do, I do."[218] Those he helped, were often people who were against Bremer and his policies, and were then later armed and trained, forming the Mahdi Army.[219] It was the same Mahdi Army that protested outside the Green Zone from the beginning of the occupation,[220] all the way until 2004, when protests started to get bloody with occupation soldiers and Mahdi Army deaths.[221] This was the beginning of the protests, leading to the insurgency that took place, as the Sunnis felt marginalised politically and therefore did not belong in Iraq (as the last chapter covered). The Shiite, who as a majority were affected by the unemployment, and already poor prior to the war, demanded rights under democracy early on, but were denied their election demands. It was from here that Al-Qaeda, with their US resent, created an invite with the new unified mission to summon Iraqis to expel the occupiers.[222] The Sunnis, who were predominantly affected by the CPA orders 1 and 2 through discrimination, were also denied nationalism, and had their visions for a secular Iraq denied.

Everything mentioned, took place in an environment where Iraqis felt their fate was becoming more uncertain by the day, both financially and politically. In addition to this, in front of their eyes, private companies were benefiting from the situation in Iraq, the Sunnis did not take kindly to what was happening. The Shiite wanted an Islamic Nationalism and wanted to Islam to prevail over all else. As we know from the last chapter on the making of the constitution, Iraq was allowed to be divided under the watch of the US in a constitution making process that had all sects trying to protect their own interests. Iraq was once one of the most developed nations in the world. Intellectually, Iraqis were not blind to the US plans of privatisation, with election polls showing this early on. As mentioned previously, Washington based International Republican Institute asked Iraqis what type of politicians they would vote for if they had the chance and the results were far from what the US and CPA wanted to hear. The Iraqi's were asked in a poll what type of politicians

[217] The Guardian (2006) '655,000 Iraqis killed since invasion' *The Guardian* Available from: https://www.theguardian.com/world/2006/oct/11/iraq.iraq (Date accessed 10th August 2017).
[218] Shadid, A. (2006), p.175.
[219] BBC News (2007) Who are Iraq's Mehdi Army? Patrick Jackson *BBC News*. Available from: http://news.bbc.co.uk/1/hi/world/middle_east/3604393.stm (Date accessed 10th August 2017).
[220]BBC News (2003) Baghdad protesters denounce 'occupation'. *BBC News* Available from: http://news.bbc.co.uk/1/hi/world/middle_east/2959015.stm (Date accessed 10th August 2017).
[221] Aljazeera (2004) Iraq protests turn bloody Occupation soldiers have clashed with Iraqi demonstrators marching in support of Shia cleric Muqtada al-Sadr, leaving at least 25 people dead and more than 150 others injured. *Al Jazeera* Available from: http://www.aljazeera.com/archive/2004/04/200841014233255086 8.html (Date accessed 10th August 2017).
[222] BBC News (2006) Guide: Armed groups in Iraq *BBC News* Available from: http://news.bbc.co.uk/1/hi/world/middle_east/4268904.stm (Date accessed 10th August 2017).

they would vote for if they had the chance in elections. Iraqis by 49%, voted for the party who would provide 'more governmental jobs,' strengthening the Iraqi police came second highest at 32.9%, with improving electricity services at 29.1%.[223] Ironically only 4.6% voted for 'more private sector jobs,' whilst 4.2% voted for 'keep coalition forces until security is good.'[224] This poll was conducted in December 2003, where 1531 Iraqis were interviewed. It was no wonder that Bremer and his CPA continued to reject and delay elections (as the previous chapter displayed and discussed), the plan for privatisation would have been voted against by the people. The people of Iraq were clearly well informed of politics, in a culture of pride and honour, where their life was ultimately consumed by politics. So therefore, the meticulous eye was on every move the US made, nothing went un-noticed, and every action imposed on the Iraqis had a re-action. The US attempted to play down the insurgency against the occupation as a war between Sunni and Shiite, which was clearly not the case.[225] The culture of Iraq was something that was not understood by the US, due to the ignorance of Iraqi culture, in which was evidenced above. Additionally, elite decision-maker Douglas Feith made it clear that the CPA's policies and the methods they used to implement them fuelled the insurgency to more extreme levels,[226] and Bush also later agreed that the CPA Orders has a disastrous effect in fuelling the insurgency.[227] Rice lamented stating that if there had been better communication between the NSC, Washington and Bremer, better tactical decisions would have been made with reduced disastrous repercussions such as the insurgency.[228]

Alternatively, maybe the US did understand the culture of Iraq, and it was for this reason that they continued to use excessive force in the bombing campaign. Maybe these measures were selected strategically, with the belief that they would penetrate and transform the culture, but culture of resistance in Iraq prevailed. As mentioned in the last chapter, it was from the undemocratic selection of the IGC that the attacks started. Iraqis wondered why all these bombs were dropped, killing so many people in front of their eyes in the name of 'democracy,' which was then not delivered. As mentioned in the last chapter UN diplomat Salim Lone stated the *"first devastating attacks on the foreign presence in Iraq, for example came soon after the US selected in July 2003 the first Iraqi leadership body, the Iraqi Governing Council; the Jordanian mission and then, soon after, the UN's Baghdad headquarters were blown up, killing scores of innocents… the anger over the*

[223] Foote, C., Block, W., Crane, K., Gray, S. (2004) Economic Policy and Prospects in Iraq, Public Policy Discussion Papers, no. 04-1 Boston: *Federal Reserve Bank of Boston 37*, Available from: https://www.bostonfed.org/publications/public-policy-discussion-paper/2004/economic-policy-and-prospects-in-iraq.aspx (Date accessed 10th August 2017).
[224] Ibid.
[225] Immerman, R, H. (2010) *Empire for Liberty, A History of American Imperialism from Benjamin Franklin to Paul Wolfowitz*. Princeton University Press, Princeton, p.227.
[226] Feith, D. (2009) *War and Decision – inside the Pentagon at the dawn of the war on terrorism.* Harper Perennial, pp.497-498.
[227] Bush, G, W. (2010) *Decision points*, Crown Publishers, New York, p.259.
[228] Rice, C. (2011) *No Higher Honour: a Memoir of My Years in Washington*, Simon & Schuster, London, p.242.

composition of this counsel and the UN support for it was palpable."[229] Hundreds of thousands of Iraqis protested against the selections, chanting "no no selection, yes yes election," this was just the beginning of a surge that was to eventually turn into 'Islamic State of Iraq and al-Sham' (ISIS).[230]

Shock Therapy in Torture

The response of the US to the growing violence and rebellion against the privatisation and lack of jobs, was through shock tactics of the highest calibre. It was as if the bombing campaign, and destruction of the Iraqi state's infrastructure was not enough. To the US, it must have not been enough, as they were not getting the compliance they wanted, without elaborating on what the US did in torture and shock therapy, I will briefly state a few of their acts. The US, in trying to handle the resistance, with the aim to transform it into compliance, allowed contractors to hire Chilean troops, who had operated under the shock tactics regime of Augusto Pinochet.[231] Torture inflicted directly by the US was described by one victim, who was imprisoned through mistaken identity. In a PBS interview, Ali stated "*when they shocked me with electricity, it felt like my eyeballs were coming out of their sockets."*[232] Many prisoners like Ali were taken by mistake, the torture was so bad that places like Abu Ghraib became breeding grounds for insurgents, *"all the insults and torture make them ready to do just about anything. Who can blame them?"*[233] Human Rights Watch, in an interview with a sergeant from the 82nd Airborne said, *"if he's a good guy, you know, now he's a bad guy because of the way we have treated him."*[234] Another study by Human Rights Watch found that torture was systematic, including electroshock and choking.[235] Richard Armitage, part of Condoleezza Rice's Vulcans and Bush's Deputy Secretary of State, and Iraq war proponent, stated that tactics were 'not strong enough.' Armitage said the tactics used *"actually has led to a situation where it is more difficult to get people to come together, not less. In Germany and Japan [after the Second World War], the population was exhausted and deeply shocked by what had happened, but in Iraq it's been the opposite. A very rapid victory over enemy forces has meant we've not had the cowed population we had in Japan and Germany. . . . The US is dealing with an Iraqi population that is un-shocked and un-awed."*[236] Even ordinary people such as children and women started to avoid

[229] Klein, N. (2008), p.344.
[230] BBC News (2007) Timeline: Iraq after Saddam. *BBC News* Available from: http://news.bbc.co.uk/1/hi/world/middle_east/4192189.stm (Date accessed 10th August 2017).
[231] Scahill, J. (2007) *Blackwater: The Rise of the World's Most Powerful Mercenary Army.* New York, Nation Books, p.199.
[232] PBS (2005) Interview with Haj Ali, "Few Bad Men?" *PBS Now* Available from: http://www.pbs.org/now/politics/hajali.html (Date accessed 10th August 2017).
[233] Ibid.
[234] Human Rights Watch (2005) Leadership Failure: Firsthand Accounts of Torture of Iraqi Detainees by the U.S. Army's 82nd Airborne Division, *Human Rights Watch* p9-12. Available from: https://www.hrw.org/report/2005/09/22/leadership-failure/firsthand-accounts-torture-iraqi-detainees-us-armys-82nd (Date accessed 10th August 2017).
[235] Human Rights Watch (2005) The New Iraq? Torture and Ill-Treatment of Detainees in Iraqi Custody, *Human Rights Watch* pp2-4. Available from: https://www.hrw.org/reports/2005/iraq0105/iraq0105.pdf (Date accessed 10th August 2017).
[236] Klein, N. (2008) Quoting McKew, M, (2005) "Confessions of an American Hawk," *The Diplomat.*

going to school and stayed at home, with a report by UN High Commission for Refugees estimating that three thousand Iraqis were fleeing every day in 2006.[237]

The failure of creating a functioning free-market

The plan of turning Iraq into a functioning free-market had turned into a disaster. Contractors were finding it increasingly difficult, if not impossible to carry out their tasks in the heart of a growing insurgency. This led to a reality where if the intended outcome was a free-market, the complete opposite took place. In 2007, the environment created by the CPA had 917 contractors killed and 12,000 wounded or killed on the job.[238] The Iraqis felt that they rightfully resisted, because they did not receive what they were promised, which was safety, security and decisions in a democratic state. To Iraqis, democracy meant being consulted on almost everything, it meant an Iraq that belonged only to Iraqis, in a nation where their futures were secured. The Iraqi resistance led to an unsettlement for the corporations, where they ended up departing in a hurry early on.[239] Major corporation giants, who had placed bids like Pepsi, started opting out, especially after the beheading of a Pennsylvania business man.[240]

Trying to do what they should have done at the beginning

Eventually the US turned to a move that it should have taken from the outset, it started awarding contracts to Iraqi firms which used local Iraqis. This therefore, put some Iraqis back to work, an example being Al-Basheer Co taking over from Parsons Global Services Inc, who had not completed their project in prison construction.[241] In a report by Office of the Special Inspector General for Iraq Reconstruction, it was confirmed that it was costing foreign contracting firms a great deal of costs in over-heads and expenditure, solely to enable the carrying out of work. Halliburton's Kellogg, Root and Brown had overheads that were as much as 55% of their budget, just to create the conditions for them to be able to carry out their roles e.g. translators and security etc.[242] Regretting their decisions, the US after all of what this chapter mentioned, decided to start doing what it should have done from the beginning, it began to get Iraq's state-owned factories up and running

[237] Ibid and taken from Klein, N. (2008); Jamail, D and Al-Fadhily, A. (2006) "Iraq: Schools Crumbling Along with Iraqi Society," *Inter Press Service*; Crain, C. (2005) "Professor Says Approximately 300 Academics Have Been Assassinated," *USA Today*; O'Hanlon, M, E., Campbell, J, H.. Brookings Institution (2007) Iraq Index: Tracking Variables of Reconstruction & Security in Post-Saddam Iraq P35 *Brookings Institution;* Redmond, R. (2006) "Iraq Displacement," press briefing, Geneva *UNCHR*; Financial Times (2007) "Iraq's Refugees Must Be Saved from Disaster," *Financial Times.*
[238] Broder, J, M. & Risen, J. (2007) "Contractor Deaths in Iraq Soar to Record," *New York Times* Available from: http://www.nytimes.com/2007/05/19/world/middleeast/19contractors.html (Date accessed 10th August 2017).
[239] Richter, P. (2004) "New Iraq Not Tempting to Corporations," *Los Angeles Times,*. Available from: *http://articles.latimes.com/2004/jul/01/world/fg-econ1* (Date accessed 10th August 2017).
[240] The Washington Post (2004) U.S. Companies Put Little Capital into Iraq," *Washington Post* . Available from: http://www.washingtonpost.com/wp-dyn/articles/A28157-2004May14.html (Date accessed 10th August 2017).
[241] Mosher, A. &Witte, G. (2006) "Much Undone in Rebuilding Iraq, Audit Says," *Washington Post,* Available from: http://www.washingtonpost.com/wp-dyn/content/article/2006/08/01/AR2006080101453.html (Date accessed 10th August 2017).
[242] Office of the Special Inspector General for Iraq Reconstruction (2006) Review of Administrative Task Orders for Iraq Reconstruction Contracts, *Office of the Special Inspector General for Iraq Reconstruction* p10-13. Available from: http://www.dtic.mil/dtic/tr/fulltext/u2/a489160.pdf (Date accessed 10th August 2017).

again. This was done through our elite decision-maker Paul Brinkley, who after looking at the factories realised that they were not so run down, with a belief that putting them to work would decrease the violence.[243] Peter Chiarelli claimed that there was a *"need to put the angry young men to work.. One of the key hindrances to us establishing stability in Iraq is the failure to get the economy going. A relatively small decrease in unemployment would have a very serious effect on the level of sectarian killing going on."*[244] Chiarelli added *"I find it unbelievable after four years that we haven't come to that realization. . . . To me, it's huge. It's as important as just about any other part of the campaign plan.*"[245] Brinkley added *"After three years of unemployment in excess of 50 percent, there are no people in the world that wouldn't be undergoing violence and militias.. That's human nature. And I think we have to do whatever we have to do to alleviate that problem if we are going to create stability."*[246]

Conclusion

I will start by summarising that the CPA Orders 1, 2, 39 and 46 were in violation of the UNSCR 1483 and the subsequent international law was referenced. In the consistent application of my methodology, simply put; the occupation was in violation of international law. I decided to investigate the nature of US decision making and the effects that came as a result of the CPA Orders. The aim was to critically examine the decisions of the US to provide further substance in the arguments regarding whether the occupation was a case of genuine democracy promotion or US elites serving their own narrow interests.

I believe that the US elite decision-makers had many different plans for the Iraq War, and were able to allow their interests to prevail, regardless of the reactions that occurred from the Iraqi people. The intention was a fully privatised state, open to mass privatisation in a free-market, for all foreign corporations to operate in, where the socialist state was replaced by private sectors. This was the long-term goal for the US, alongside a functioning democratic state (the legacy of democracy in Iraq will be examined in the next chapter). The process for the US to achieve its goals began with the division of Iraq. This took place by allowing political parties and sects to focus only on their sectarian (Shiite), and regional needs (Kurds). Meanwhile, the Sunnis who wanted a secular and unified Iraq, were overlooked and therefore marginalised. This commenced with the formation of the IGC, with Sunni under-representation also continuing in the constitution process, as mentioned in the previous chapter.

[243] Hussein, A. & Freeman, C. (2007) "US to Reopen Iraq's Factories in $10m U-turn," *Sunday Telegraph* Available from: http://www.telegraph.co.uk/news/worldnews/1540841/US-to-reopen-Iraqs-factories-in-10m-U-turn.html (Date accessed 10th August 2017).
[244] White, J. & Witte, G. (2006) "To Stem Iraqi Violence, U.S. Looks to Factories," *Washington Post* Available from: http://www.washingtonpost.com/wp-dyn/content/article/2006/12/11/AR2006121101318.html (Date accessed 10th August 2017).
[245] Ibid.
[246] Ibid.

The question arises regarding why the US did not support the Sunnis, as much as it did the Kurds and the Shiites (although Shiites much less than the Kurds)? The answer is that they wanted a secular and undivided state, where differences would not prevail in decision-making. The polls (mentioned above) also indicated that if Iraqis could democratically vote for what they wanted, they would opt for a state where the government would provide the jobs. A secular and unified Iraq, acting in a democracy would have witnessed this prevail, which would have meant privatisation and US visions of a free-market Iraq would not have been possible.

Constitution was a distraction attempt

Therefore, I believe that the decision to form the IGC, and the creation of a pressing need for a new constitution to be made, was partly a distraction attempt by the US. The US aimed to divide and distract Iraqis, whilst the CPA created the conditions for their own interests to be served. The creation of a privatised Iraq, where Iraqis would be shocked into accepting failed. The shock therapy created the complete opposite effect, the Iraqis resorted to taking their own lives just to take the lives of the occupiers. This eventually spread like an epidemic, to such an extent where the intended fertile ground for capitalism became a place where private firms could not operate and were instead forced to leave. The insurgency that started in Iraq continued until 2017. As mentioned, ISIS began through the malcontent Sunnis who felt marginalised in Iraq.

Everything mentioned so far does not mean that it was a complete failure for US elite interests. US elite interests were still served as US firms were able to bring back most of the tax payer money that went towards rebuilding Iraq, this was through US firms acquiring most of the contracts.

Elite decision-makers who benefitted directly

The question to ask is: who from my Bush elite Iraq War supporters (Chapter 3) were major beneficiaries? Our elite decision-maker Cheney who had publicly left as CEO of Halliburton to be Bush's Vice President had not actually left Halliburton, as he still had interests in the company. Klein, quoting the Wall Street Journal article which has since been removed from the website, states that Cheney had a retirement package worth $211,000 a year, similar to his US state salary.[247] After being initially pressed about having corporate associations whilst in office, Cheney agreed to offload some shares making $18.5 million, but still hung on to 189.00 shares and 500,000 unvested options.[248] A major war proponent to protect US interests, Cheney's stock prices went from $10 pre-war, to $41 three years into the occupation.[249]

[247] Klein, N. (2008) p313 referencing Herman, K. (2006) "Cheneys Earn $8.8 Million to Bushes' $735,000," Austin *American-Statesman.*
[248] Ibid.
[249] Ibid.

James Baker who was head of the Iraq Study Group in 2006, had a company named Carlyle Group, which had a subsidiary, USIS. USIS received major contracts in selling robotic systems, defence communication systems and other enormous contracts.[250] The group's Chief Investments officer said in referring to the first 18 months of the Iraq War, that "*it's the best 18 months we have ever had*" in taking a $6.6 billion pay-out.[251] Bush summoned Baker to accept a role in finding ways to get creditor nations to forgive Iraq's debts, in the name of aiding its reconstruction.[252] Baker was condemned as someone who had too many interests privately, to be undertaking such a role, which could potentially serve his own personal interests. Baker persisted through the Carlyle Group, and made a document entitled 'Proposal to Assist the Government of Kuwait,' encouraging Kuwait to invest $1 billion with Carlyle, in return for the $27 billion owed by Iraq. In a classic case of conflicting interests, Baker was condemned from making profit from the situation after an article by Klein.[253] However by this time, despite taking the payments for Carlyle, Bakers aim in getting rid of 90-95% of the debt had not been met, the debt remained at 99% of Iraq's GDP.[254]

Unity and disagreement amongst the elite decision-makers

As mentioned throughout this chapter (and previously in the last chapter), disagreements caused between elite decision-makers forced them to make adjustments in decision-making when privatising Iraq's economy. Disagreement between US elite decision-makers took place between the Department of State and the Department of Defense regarding how intense the implementation of CPA Order 1 should be regarding de-Ba'athification, with Rice achieving a compromise that was agreed with Bush, Cheney, Rumsfeld and Powell. Additionally, there was disagreement over how fast Iraq's economy should be privatised, with Bremer replacing Garner. However, despite US intra-elite disagreements in Iraq, the disagreements were tactical and concerned the smaller details regarding the execution of the overall US agenda to privatise Iraq's economy. There was indeed consensus amongst US elites over privatising Iraq's economy to facilitate the fundamental vision for Iraq becoming a free-market democracy and this effectively enabled the US agenda to continuously be implemented. Therefore, disagreements were only tactical and not fundamental or significant enough to disrupt US agenda in Iraq.

[250] Ibid, p.317.
[251] Ibid.
[252] New York Times (2003) "Cutting James Baker's Ties," *New York Times* Available from: http://www.nytimes.com/2003/12/12/opinion/cutting-james-baker-s-ties.html?mcubz=3 (Date accessed 10th August 2017).
[253] Klein, N. (2008) *p*318 and Leigh, D (2004) "Carlyle Pulls Out of Iraq Debt Recovery Consortium," *Guardian* (London), October 15, 2004. Available from: https://www.theguardian.com/world/2004/oct/15/iraq.davidleigh (Date accessed 10th August 2017).
[254] Klein, N. (2008), pp.318-319.

US elites who were direct financial beneficiaries of the Iraq War

Two of my elite decision-makers directly benefitted financially from the Iraq War, and my belief is that had the privatisation taken place effectively then then there would have been a higher number of elites that benefitted similarly to Baker and Cheney. I indicated unity and consensus amongst our elite decision-makers regarding the privatisation of Iraq, I highlighted disagreements in the build-up to the initiatives that influenced the privatisation process through the making of the CPA Orders. Previous to this, disagreements amongst my elite decision makers was illustrated in the removal of Garner and the implementation of Bremer. Therefore, I can state with confidence that the Iraq War, according to this chapter was a clear case of US elites who prioritised the serving of their own economic agenda at the expense of all else. The US corporations and the US decision-makers who I profiled in my elite study benefitted directly from the Occupation financially whilst international law was violated absolutely.

Not a complete failure

I therefore believe that the Iraq War was not a total failure for US interests, although the human experiment in transforming Iraq into a private economy failed, a new market was established. This market clearly testified that war, chaos and looting was profitable for private contracting firms. Historically, the US had used democracy promotion to create free-markets that served US interests. Before the Iraq War, the US conducted such missions through exporting not only their democracy, but also their corporations. However, this was no longer the most profitable method of operation.

Instead the Iraq war established that chaos, calamity and continued unrest is the perfect formula for profit. This formula creates a need automatically, in terms of the nation that is in crisis will need support, this support comes through services provided by corporations. In such cases, the US, through its corporations can come to 'sort it out.' Therefore, the interests of corporate US were served, as the majority of the Iraq rebuilding budget that came from the US, ended up returning to the US through the corporations that were awarded contracts. This therefore benefitted not just the corporations, but also the US economy, consequently a new market was identified. It should be noted, it is no co-incidence that after the Iraq War, upheaval and civil war in the Middle-East spread in ways that were seemingly inexorable, but as long as fires need extinguishing and sovereign governments cannot deal with it, then the US transnational corporations will always have a role to play.

Therefore, the US and the CPA did not serve the interests of the Iraqi people in the decisions they took, instead it was the interests of corporations that clearly prevailed in the end. Almost every decision the US and the CPA took, had major detrimental effects, in a reality where any other nation under such extreme measures, would naturally react the way that the Iraqis did. This was something that US officials themselves confirmed, as mentioned above. However, this proved irrelevant as the main goals of maximising profits back to the homeland and creating jobs for the US corporations was the aim. Almost every fundamental need of Iraqis was overlooked. The evidence provided in this chapter shows that the US believed in extreme measures, where the more disaster there was, the better. This chapter testifies US elite decision-makers used the occupation to serve their own narrow interests, using shock therapy to intensely privatise the state regardless of the consequences. In the process corporations that were associated with or loyal to US decision-makers were given contracts without accountability, in a process where US elite decision-makers such as Cheney made a direct financial benefit from the occupation.

All of the above mentioned gives clear and absolute evidence that US elites used democracy promotion as a cover to legitimise the occupation, whilst the real aim of the occupation was to create a functioning free-market democracy through intense privatisation. However, the repercussions of this privatisation agenda on the Iraqi people, alongside the undemocratic decisions by the US in Iraq and a rushed and divisive constitution created an insurgency that forced the US to leave Iraq.

The final part of this study will be measuring the democracy that was left in Iraq, this will take place in next chapter (Chapter 6).

Chapter 6: The legacy of Democracy and its implementation in Iraq

"Iraqi democracy will succeed — and that success will send forth the news, from Damascus to Teheran — that freedom can be the future of every nation. The establishment of a free Iraq at the heart of the Middle East will be a watershed event in the global democratic revolution."

George Bush, November 6th, 2003[1]

"Everything that has happened so far shows that they want a democracy in Iraq. They're learning to compromise, they're learning to negotiate with each other - Shia and Sunnis and Kurds and others"

Condoleezza Rice, March 28th, 2004[2]

The previous chapters examined the actions of the US through the CPA in Iraq, regarding both the constitution making process, and the decisions they undertook in Iraq. This chapter will examine the legacy of democracy that was brought to Iraq. At this stage, we already know that the constitution making process and the selection of the initial Iraqi Governing Council (IGC) did not follow democratic methods in practice, and therefore the US were not democratic in how they themselves operated initially in Iraq. We can give a partial defence of the US, in acknowledging the climate they operated in and the task they faced. In terms of the constitution making process, it could have been more democratic had there been more time allocated by the US. This would have been achieved with more meticulous accountability, a thorough reviewing of the processes, and even education provided to decision makers and constitution writers, which would have meant more democratic and representative means may have been facilitated. However, the reality remains that not only were democratic means not selected, laws were overlooked and violated. Not only were international laws and treaties violated, in addition Iraq's laws were also violated, and even the process set out by the Transitional Administrative Law (TAL) on how the constitution would be legally legitimate was overlooked.

Having taken all this into consideration, it is crucial that we examine the type of democracy that was brought to Iraq by the US, and the legacy and impact this had on the Iraqi people. It is also fair to state at this stage, that a sustainable defence for the US for all of its shortcomings (as per the previous two chapters), would be an immediate outcome of a stable and functioning democratic system, that upheld the rights of all as promised through the constitution. It is in the name of giving the US a

[1] Bush, G, W. (2003) Remarks by President George W. Bush at the 20th Anniversary of the National Endowment for Democracy. *National Endowment for Democracy* Available from: http://www.ned.org/remarks-by-president-george-w-bush-at-the-20th-anniversary/ (Date accessed 10th August 2017).
[2] Rice, C. (2004) Dr. Condoleezza Rice Discusses the War on Terror on "60 Minutes". *US Department of State Archives* Available from: https://2001-2009.state.gov/s/ct/rls/rm/2004/31105.htm (Date Accessed 10th August 2017).

chance to justify its already examined decision-making, that a thorough examination of Iraqi democracy in theory and practise is essential, because the argument that 'the ends justified the means' will always be a justification. We already know that democracy promotion was a backbone for not just this invasion, but many invasions historically (see introduction chapter), therefore the type of democracy left in Iraq, and its efficacy are in need of examination and understanding. Unlike the rest of the actions of the US in Iraq, which were categorized in the period that the US was in Iraq,[3] this chapter acknowledges that measuring democracy is something which will need to be done in a period from when the constitution was ratified. The constitution was ratified in 2005, and therefore, Iraqi democracy will be measured in the period from ratification till 2017. The reason for this is that firstly, it takes time for the laws to be understood and communicated to the population. Secondly, I want to be fair in the assessment. It needs to be noted that to accurately measure democracy and the constitution, it needs to be over a period of time. This will enable me to see if there are any violations, whether such violations are in small instances or whether they are consistent. Most importantly, I can assess how responsive and effective the democracy is, by assessing whether positive changes actually occurred in Iraq, regarding the promise of democracy and its implementation. It should also be noted that despite the implementation and upholding of rights being absolute, and also perceived to be immediate, I believe that democracy and its implementation can take time. For this reason, I cannot expect the democracy to be perfect, but I believe that there should be a certain level of protection for rights, freedoms and respect for rule of law, as these factors were the basis for the great sacrifice of the war, which was an international sacrifice also.

One of the expectations that I set on the Bush elite (see Chapter 3) was to promote a free-market democracy in Iraq. I outlined that the market would be free, yet decisions would be made democratically in terms of the election of the government, which would be through free and fair elections. I set the expectation that US decisions would be tailored to boost interests of global capital more so than empowering the powerless populous. The expectations were based on an elite study of the Bush administration's elite decision makers and a study of US democracy promotion from 1789-2000. I set the expectation that the US would transform Iraq's socialist economy through privatization policies; this was covered in the previous chapter (Chapter 5). This chapter is an examination of the democratic and political system that was brought to Iraq. The question that this chapter will examine is how effective the free-market democracy of Iraq is practice.

I argue that the legacy of the democracy in Iraq is one of dis-functionality, representative of little respect for democracy, the constitution and the upholding of rights. I believe that democracy and the

[3] i.e. the constitution making process and the contracts awarded under the CPA.

constitution in practise is very flawed and ineffective, as decision makers evidently abuse powers. Despite a separation of powers, key ministers, both in the Kurdistan Region of Iraq and Central Iraq have managed to abuse power to gain decisions in their favour, and to stay in their positions of authority illegally outside of their constitutionals terms. I believe that Iraq is representative of a divided society, with individuals, tribes, and political parties having the ability to hold and manipulate institutions and the rules of democracy. This is done through the use of personal militias and security personnel, which in turn has caused a dis-unity that has led to paralysis in terms of Iraqi national progress. I also argue that the constitution of Iraq is a big contributor to all the problems that it faces till today. I argue that if more time had been given to the making of the constitution, then all the problems covered in this chapter may have been foreseen, accounted for, and prevented.

Chapter Structure

It is essential to examine Iraq's democracy in practise, as per the structure of the constitution, by looking at the Kurdistan Region of Iraq (KRI) and the Central Government of Iraq (CGI). It is important to recognize that although the Constitution of Iraq is binding in the entire state of Iraq, including the autonomous regions; the Kurdistan Regional Government (KRG) has its own laws and customs that are in theoretical adherence with Iraq's constitution. I will start on the first section of this study by looking at articles of the constitution that have been violated in practice with examples from the KRI. This will include violations of press freedom, rights to protest, and also the controversial clause in the constitution which gives the KRG unscrutinised power within its region. The latter has led to abuse by the KRG, such as the wage crisis of 2016, and the ongoing political party membership crisis, which violates numerous articles of the new constitution.

In the second part of this chapter, I will analyse the operations of the CGI in practise as a case study, examining its numerous procedural implications that are questionable in terms of democracy implementation and constitutional adherence. I will do this by examining how the Constitution of Iraq sets up the government in terms of its sectarianism; the repercussion of this being a lack of accountability, before analysing the ongoing fight against corruption. I will examine the functionality of the CGI with regards to its respect for constitutional clauses that order a separation of powers and judicial independence. Finally, I will study the reports by Non-Governmental Organisations (NGO's) who have reported on democracy and public opinion regarding democracy in Iraq.

Part 1: The Kurdish Region of Iraq

As we know from the 2005 Constitution of Iraq, article 120, the KRI along with any other federal region can adopt its own constitution, as long as it does not contradict the 2005 Constitution. Therefore, the

articles of the 2005 Constitution are binding in the KRI and therefore must be adhered to. Under Article 38 of the constitution:

"The state shall guarantee in a way that does not violate public order and morality:

***First**. Freedom of expression using all means.*

***Second**. Freedom of press, printing, advertisement, media and publication.*

***Third**. Freedom of assembly and peaceful demonstration and this shall be regulated by law"*[4]

Having access to people in Iraq and being in touch with the day-to-day happenings, I have been personally following reports of the violations of article 38 in the KRI since 2011. However, one difficulty in this study has been finding official and reliable reports. The mainstream media has failed to produce coverage, both in the international arena and within Iraq. This section will give an insight as to why this has taken place. Thankfully, due to the work of *Human Rights Watch,* I have been able to obtain official reports. A 2013 report by *Human Rights Watch (HRW)* entitled '*Iraqi Kurdistan: Free Speech Under Attack'* outlined mass and gross violations of article 38 of the constitution.[5] In the year of 2012, the KRG were reported to have arrested and detained at least 50 journalists, critics, and opposition political activists arbitrarily and even prosecuted 7 of them with charges concerning; insulting or defaming public figures, this was based on information obtained by *HRW* following 6 different visits to the KRI.[6] One example is Akram Abdulkarim, who was jailed for over a year without trial on national security charges, because he accused leading members of the Kurdistan Democratic Party (KDP) of pillaging custom revenues at the border of Iraq with Turkey.[7] In November and December of 2012, *HRW* interviewed 16 journalists, political activists and others who were arrested from the beginning of 2012, some were released without charge and others prosecuted with fines and imprisonment based on defamation or insult. A lawyer named Zana Fatah, was amongst those arrested. Fatah. informed *HRW* that he was arrested in October of 2012 in Chamchamal, Iraq, after writing an article accusing the judiciary of lacking independence from the main political parties of KDP and Patriotic Union of Kurdistan (PUK).[8] When confronted, the KRG's Department of Foreign Relations and the Asayish (KRG Police) replied with "talk of corruption cannot be tolerated."[9]

[4] 2005 Iraq Constitution. (2005) Article 38 *Constitute project.* Available from: https://www.constituteproject.org/constitution/Iraq_2005.pdf?lang=en (Date accessed 10th august 2017).
[5] Human Rights Watch (2013) Iraqi Kurdistan: Free Speech Under Attack Government Critics, Journalists Arbitrarily Detained, Prosecuted for Criticizing Authorities. (2013). *Human Rights Watch.* Available from: https://www.hrw.org/news/2013/02/09/iraqi-kurdistan-free-speech-under-attack (Date Accessed 10th August 2017).
[6] Ibid.
[7] Ibid.
[8] Ibid.
[9] Ibid.

Through Kurdistan's Press Law of 2007, under Article 2,[10] protection of rights is awarded to journalists in seeking to *"obtain information of importance to citizens and relevant to the public interest from diverse sources."* The law under Article 5's fifth point states *"Anyone who insults or injures a journalist as a result of the performance of his work shall be punished with the punishments decided for those who injure government employees during regular working hours or as a result of the performance of his work."*[11] Under Article 8's fourth point; *"no crime has been committed if the journalist has published or written about the work of an official or a person entrusted with a public service or a public representative if what he has published does not go beyond the affairs of the profession or of the public or representative service on the condition that he has provided proof supporting what he has ascribed to them."*[12] In addition, Article 8's fifth point states *"no legal procedures shall be taken against the journalist after 90 days from the date of publication*" and under article 9; only a fine that is no less than 1million Iraqi Dinars and no more than 5 million Iraqi dinars can be imposed for publications to do with;

"*1; sowing malice and fostering hatred, discord and disagreement among the components of society. 2; Insulting religious beliefs or denigrating their rituals. 3; Insulting and offending the religious symbols and sanctuaries of any religion or sect. 4: Anything related to the secrets of the private lives of individuals, even if true, if it offends them. 5. Libel, slander or defamation. 6. Anything that prejudices an investigation or trial procedures unless publication is permitted by the court. 7. Violation of the principles of ethics stated in the Bordeaux Declaration of Principles on the Conduct of Journalists, adopted by the 1954 World Congress of International Federation of Journalists, amended in 1886 and annexed hereto."*[13]

Therefore, it can be said that journalists are protected from arrest and injury that is inflicted upon them because of their work, this applies in theory to every case. Sarah Leah Whitson who is the Middle East director at HRW said that *"Rather than subjecting journalists and other critics to arrest and other punitive measures for expressing dissent or exposing alleged corruption, the KRG authorities should be upholding free speech… The authorities need to investigate and punish cases of abuse of this right, as their own Press Law requires, and hold those responsible for abuse to account."*[14]

[10] Kurdistan Press Law. (2008). Available from: http://www.presidency.krd/docs/PressLaw-KRI.pdf (Date accessed 10th August 2017).
[11] Ibid.
[12] Ibid.
[13] Ibid.
[14] Human Rights Watch (2013) Iraqi Kurdistan: Free Speech Under Attack. *Human Rights Watch.* Available from: https://www.hrw.org/news/2013/02/09/iraqi-kurdistan-free-speech-under-attack (Date accessed 10th August 2017).

HRW was informed by Niyaz Abdullah of the *Metro Center for Defending Journalists*[15] that they had reports logged for over 100 complaints regarding breaches of journalistic rights. Abdullah said that *"the government is ignoring the laws in place that require it to investigate abuses and harassment of journalists, and to hold the wrongdoers accountable*."[16] In a year-end report, the Metro Center documented 21 cases of alleged physical assaults of journalists in which one was armed assault, in addition there were 50 arrests and 34 cases where security forces confiscated journalist equipment, and 5 death threats against the journalists for their publications.[17] In March 2012, HRW documented police beatings and detentions of journalists who reported the demonstrations that were eventually marked as the 2011 February 17th protests, these protests spread all over the KRI. In that very year, KRI security forces Killed 10 protestors and injured more than 250.[18] Whitson of HRW said that "*Sadly, the Kurdistan Regional Government today looks less and less like the open and thriving democracy it paints itself to be.. By undermining legal guarantees for free speech, the KRG is undermining one of the basic pillars of a free society*."[19]

The freedom of the press even witnessed an attempt at its regulation in June of 2012, when a 'Draft Law to Protect Sanctities' was submitted to the Kurdish Parliament, seeking to criminalise, with punishments of up to 10 years for anyone who insults against "religious and national symbols."[20] Many civil society activists believed that these vague laws would be an attempt to create a climate of fear and effectively deterrence from publishing freely, eliminating criticism of the KDP leader, who was also simultaneously the KRG president, Masoud Barzani.[21] The Kurdistan Parliaments Legal, Human Rights and Civil Affairs Committees rejected the draft law, on the basis that it would contravene the KRI's human rights and other legal obligations, including Article 38 of the Constitution of Iraq.[22] HRW obtained a copy of a letter that signified the persistence of the KRI authorities in seeking relentlessly to enact the law. In a letter by Sazgar Ali Naji Attar (who was a Justice Ministry Official as the Head of Public Prosecution), addressing the Ministry of Religious Endowments and Affairs on September 24th 2012, she stated *"if any subject disrespects religion, Kurdish history, or national symbols through the media,"* it should be the case that *"the public prosecution can take legal action against the source of the publication."*[23] This triggered the interim religious affairs minister to write a letter on October 15th

[15] Metro Center was founded by a group of journalists in 2009, in cooperation with Institute for War and Peace Reporting (IWPR). The Institute had supported the Center during the first year of its establishment. "The main objective of Metro Center is to create an apt environment for journalistic work in Kurdistan, depending on the implementation of the Press Law (No. 35) of 2007 in Kurdistan Region, passed by Kurdistan Parliament and signed by the president of the Kurdish Region." Available from: http://metroo.org/english/about.aspx (Date accessed 10th August 2017).
[16] Human Rights Watch (2013).
[17] Ibid.
[18] Ibid.
[19] Ibid.
[20] Ibid.
[21] Ibid.
[22] Ibid.
[23] Ibid.

to the ministry's '*General Directorates'* in Erbil, Sulaymaniyah, and Duhok, instructing them to report "*cases of disrespecting religious and national symbols or degrading them… or when legal action is taken against them*."[24] It turns out that the proposed law was blocked by the 'Gorran' party, amongst others, with a Foreign Relations official telling HRW that *"KDP and PUK (the two ruling parties) hold a majority in Parliament; they want this law and they will win."*[25] It should be noted that the journalists who are killed or detained predominantly report on the corruption of the two ruling parties the KDP and PUK, regarding its discriminatory patronage system. This will be elaborated upon shortly in this chapter.

A particular event witnessed protests take place in Sulaymaniyah, Iraq's Sarah Square, on February 17th 2012, where around 200 peaceful demonstrators and protestors were approached by civilian clothed security services who violently attacked them with batons, whilst official security forces watched without intervening.[26] The security forces also beat journalists and photographers who captured the protest. One *Metro Center* Journalist informed *HRW* that he was assaulted and had his camera confiscated, along with Sebastian Meyer, who was an American photographer for the *Metrography Photo Agency*, capturing the arrests of a protester who was also assaulted and arrested with Pazhar Mohammed, an Iraqi photographer who faced assault, arrest and also had his camera and phone confiscated.[27] Other journalists had reported that media workers from the television channels of KNN and NRT had also been arrested.[28] *HRW* was informed by witnesses that around 30 journalists and protesters were taken to Fermanday prison on the western outskirts of Sulaymaniyah, where they were held under arrest and then released without charge.[29]

On October 10, 2012, Shawqi Kanabi, who was the director of the KNN television channel interviewed the employee of a company owner, who worked in Erbil Provincial Council. The employee declared that the company had cheated people, and Kanabi stated expressly in the interview, that holding companies and working in the public office is prohibited under law.[30] Kanabi was then fined 1.5 million dinars for 'insulting' a member of the provincial council on October 20. This was also recorded by *UNAMI Human Rights Office* in its 2012 report.[31] Kanabi told *HRW* that *"Journalists can't gather information legally.. When you dig, they have many laws to use against you. The Kurdish government is using unconstitutional means to try to stop free press and political opposition, and tries to justify this*

[24] Ibid.
[25] Ibid.
[26] Ibid.
[27] Ibid.
[28] Abdullah, S. (2012) Journalist beaten and arrested by Iraqi Kurdish militia on the anniversary of anti-KRG protests. *eKurd.* Available from: http://ekurd.net/mismas/articles/misc2012/2/state5897.htm (Date accessed 10th August 2017).
[29] Human Rights Watch (2013).
[30] Ibid.
[31] United Nations Human Rights Office. (2013) Report on Human Rights in Iraq: July- December 2012. *UNAMI human rights office.* Available from: http://www.ohchr.org/Documents/Countries/IQ/HRO_July-December2012Report.pdf (Date accessed 10th August 2017).

effort with proper legal procedures. Before they would kill you; now, they threaten you and arrest you."[32]

In April of 2012, after publishing two anonymous articles in the *Bashour* independent magazine, one of which stated that 206 million Iraqi dinars were missing from Akre City Council's coffers, because of corruption and fraud; and another article about a businessman being given $2millon as part of a business deal, the editor Sherwan Sherwani was detained.[33] He was detained on April 20th, when he was at a picnic, without an arrest warrant, for three days, he was then released and then re-detained again for three more days, to then face charges for defamation.[34] The press law as mentioned above cannot penalise after 90 days of the publication being published. However, Sherwani was charged 170 days after the publication was published, rendering the process unlawful and illegal.[35] *HRW* was informed that 14 journalists from Badinan province were made to promise that they would not write articles for certain independent journals, the 14 would not speak to HRW due to fears of security service reprisals. This was something that Asos Hardi of Sulaymaniyah based magazine *Awene* also testified to, telling *HRW "Talking about politics is a dangerous undertaking.... Corruption is an especially sensitive issue. The problem is that there is no mentality of accountability. When they want to put someone away, they put them away, and then they look for the excuse."*[36] Shwan Saber who is vice-chairman of the Justice Network for Prisoners affirmed these comments; *"When corrupt officials punish free speech, this is what you get. The ruling party is silencing its critics*."[37]

Another big case was that of Akram Abdulkarim, a former customs officer, detained one week after being arrested at the border for giving media interviews, stating that leading members of the KDP had been stealing customs revenues generated at the border crossing between the KRI and Turkey.[38] The interviews were given to NRT, *Bashour* magazine, and *Hawlati* magazine, and eventually sparked 50 parliament members to sign a petition demanding transparency in the accounts of the revenues generated at the border crossing with Turkey.[39] Abdulkarim's lawyer told HRW that he was detained without access to a lawyer for almost three weeks, in this time he was assaulted, and eventually charged with jeopardizing national security, through the publication of an unclassified manual for customs officials that he developed while working for the Asayish (Police) with the Interior Ministry's collaboration. The Asayish charged Abdulkarim with violating article 316 of the 1969 Iraqi Penal Code, which has a 10 year imprisonment penalty; *"any public official or agent who exploits his position in order to obtain funds, goods or documents establishing legal rights or other things to which he is not*

[32] Human Rights Watch (2013).
[33] Ibid.
[34] Ibid.
[35] Ibid.
[36] Ibid.
[37] Ibid.
[38] Ibid.
[39] Ibid.

entitled and which belong to the State."[40] Believing that his arrest was purely down to his criticism of the KDP, Kamaran Barwany, an activist, on Abdulkarims behalf, told *HRW* that the case is *"not a national security case, this is a case of political dissent and freedom of thought*."[41]

Another important case to consider is that of Sardasht Osman, who was in his final year of University studying English, when he was abducted in Erbil on May 4th, 2010. Osman was a freelance journalist who had contributed to independent newspapers *Ashtiname* and the news pages of *Sbei, Kurdistan Post, Awene, Hawlati* and *Livinpress.*[42] Osman's topics of publication were around corruption by high ranking government officials from the two major parties of the PUK and KDP, at a time when Gorran, an opposition party established in 2009, won a quarter of the 111 parliamentary seats.[43] One article in the *Kurdistan Post* was about wealth inequality, and whether he might escape his poor origins by marrying into the KDP's family, so that he can have some equality in wealth.[44] Osman's brother Bashdar said that shortly after the article, Osman received death threats in texts and calls, and in his final article[45] he wrote that "*I am not afraid of death from torture.. I'm here waiting for my appointment with my murderers. I am praying for the most tragic death possible, to match my tragic life."*[46] Osman was eventually found dead on May 4th, 2010 on a road near Mosul, with his body testifying to signs of torture, with two bullet wounds to the head.[47] Following a big outburst of protests by the people of the KRI, President Barzani appointed an investigatory committee, who on September 15, 2010, announced that members of Ansar al-Islam, an armed group connected to Al Qaeda, had murdered Osman because he had failed to carry out a promise on their behalf.[48] The committee then stated that Hisham Mahmood Ismaeel, from Beji, north of Tikrit, during interrogations had confessed delivering the duty and blindfolded Osman to take him to Ansar al-Islam members in Mosul.[49] Questionably, Ansar al-Islam quickly denied responsibility, in an attributed statement to the armed group stating: *"If we kill or kidnap someone, we will announce it ourselves. We don't need anybody to lie for us."*[50]

Alongside the laws in Iraq, international laws such as Article 19 of the International Covenant on Civil and Political Rights (ICCPR), to which Iraq is a signatory, guarantees the right in the "*freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or*

[40] Ibid.
[41] Ibid.
[42] Abdulla, N. (2014) Mountain of impunity looms over Kurdistan journalists A CPJ special report *CPJ* Available from: https://cpj.org/reports/2014/04/mountain-of-impunity-looms-over-kurdistan-journali.php (Date accessed 10th August 2017).
[43] Ibid.
[44] Ibid.
[45] Glenewinkel, K. (2010) Sardasht Osman Why was he killed? *Niqash* Available from: http://www.niqash.org/en/articles/society/2673/Why-was-he-killed.htm (Date accessed 10th August 2017).
[46] Abdulla, N (2014).
[47] Human Rights Watch (2013).
[48] Ibid.
[49] Ibid.
[50] Ibid.

in print, in the form of art, or through any other media of his choice." Article 15 of the ICCPR also guarantees that no one can be prosecuted for offences that were not considered crime in law, at the time that the crime took place.[51]

The content topics of journalists and the reason for the 2012 protests- the 2011 protests: Sulaymaniyah Spring from February 17 to April 18 of 2011.

In between February 17th and April 18th 2011,[52] tens of thousands of Kurds in the KRI staged what was their version of the Arab Spring, despite under-reporting, some media stations produced accounts. For 62 days, activists in Sulaymaniyah held daily protests calling for KRG reform and an end to corruption, with demonstrations against the KRG also taking place in Halabja and Raniya, amongst other areas of the KRI.[53] In clashes between protestors and security forces, 10 people died and hundreds were injured, before the KRG violently ended the protests in April.[54] The Kurds have historically been content with their setup following the constitution, and this sort of demonstration and uproar was not common internally in the region. I will display the reasons behind the protests, which provide further evidence regarding breaches of Iraq's constitutionally promised rights.

The obvious initial breach is Article 38 of the Constitution of Iraq as noted above, regarding the right to freedom of speech for the press and the general population, along with the freedom to peacefully demonstrate. A party in opposition emerged in 2009, called 'Gorran' which in the Kurdish language means 'change,' with the party's slogan being 'movement for change.' *Gorran* was established in 2009, by the former PUK co-founder, Nawshirwan Mustafa, who left the party in 2006 due to his disagreement with the corruption taking place by the PUK in Sulaymaniyah.[55] Having had issues with the corrupt and dominant leadership of the PUK in the KRG, and its actions in Sulaymaniyah, Mustafa started *'Gorran,'* which in many ways resembles a think tank or NGO, with research institutes, election bureaus, sociologists and other individuals who are part of Gorran that work with other NGO's too.[56] Having been a freedom fighter Peshmerga from the 1970's, Mustafa was passionate about a KRI that would serve its people justice, after years of oppression under Ba-athist rule. Gorran's goals and

[51] Ibid.
[52] Sly, L., & Qeis, A. (2011) Two Iraqi protesters killed amid unrest in normally peaceful Kurdistan. *Washington Post*. http://www.washingtonpost.com/wp-dyn/content/article/2011/02/17/AR2011021706418.html (Date accessed 10th August 2017). and Tawfeeq, M. (2011) 1 killed, 57 injured in Iraqi Kurdish protests. *CNN*. Available from: http://edition.cnn.com/2011/WORLD/meast/02/17/iraq.protests/index.html (Date accessed 10th August 2017); Al-Ansary, K. (2011) Two killed, 47 hurt in Iraq protest violence. *Reuters.* Available from: http://www.reuters.com/article/us-iraq-protests/two-killed-47-hurt-in-iraq-protest-violence-idUSTRE71G6PF20110217 (Date accessed 1th August 2016) and Human Rights Watch (2011) Iraq: Widening Crackdown on Protests https://www.hrw.org/news/2011/04/21/iraq-widening-crackdown-protests *Human Rights Watch* (Date accessed 10th August 2017).
[53] Watts, N. (2016) *The Spring in Sulaimani: Kurdish Protest and Political Identities and Popular Uprisings in the Middle East.* Rowman & Littlefield International, London, New York, pp.37-57.
[54] Ibid.
[55] The Kurdish Project (Year N/A) Gorran Movement for Change. *The Kurdish Project.* Available from: https://thekurdishproject.org/history-and-culture/kurdish-nationalism/gorran-movement-for-change/ (Date accessed 10th August 2017).
[56] Watts, N. (2012) A Sulaimaniya Spring: State-society Relations and Dissent in the Kurdistan Region of Iraq. *LSE, Middle East Centre.*

motivations aimed to challenge allegations of corruption and nepotism from the two ruling Kurdish Parties, the KDP and PUK. Since 2009, the Gorran party has seen a rapid increase in popularity, winning 25 seats in 2009 (a quarter of parliamentary seats in the KRG Parliament and 8 seats in the Iraqi parliament).[57] In an interview in 2012, the year after what was named the 'Sulaymaniyah Spring' by academic Nicole Watts, Mustafa explained the regions issues that had inspired social movements for change. Mustafa's interview was conducted in 2012 by Ferdinand Hennerbichler, who is an Austrian historian and former diplomat, but was released in 2017, after Mustafa's demise in the same year. In the interview Mustafa stated that KRI's issues were of *"corruption*" and *"social injustice*" because of two political parties; one in Erbil being the KDP, and one in Sulaymaniyah being the PUK, where Mustafa refers to the model in the KRI as being similar to that of the 'ex-Soviet union,' model where single parties rule different areas.[58] Mustafa states the problem is the KDP and the PUK each have their own Peshmergas and their own Asayish (police), along with separate financial ministries.[59] Mustafa explains further that the arrangement relationship with Baghdad is not directly from the KRG, it is from each political party individually, with the PUK and the KDP, as opposed to a unified KRI and KRG dealing with Baghdad, as a single unified regional government entity.[60] Gorran demanded the separation of the dominant political parties and the government, claiming that there is bias in the workings of these parties in what Mustafa called 'partisan institutions,' that have replaced what should be public institutions.[61] Gorran called for either separation of political parties and the government, or the end to 'interference' by political parties in the daily duties of the government.[62] Mustafa highlighted a major detriment to the ordinary population of KRI; *"we want to change the 'partisan institutions for example here in Sulaymaniyah, Asayish, Peshmerga, Police, even the schools headmasters. If you are not a member of PUK; you have no opportunity to be appointed as an element of the security apparatus, as an element of Peshmerga, as headmaster, as a teacher…We want to change the partisan governmental institutions from partisan institutions to national institutions, to be for all the peoples to have the right to be elements in security apparatus in Peshmerga, in everything."*[63]

Mustafa stated that Gorran wanted to make some economic reforms, because the unequal distribution of wealth amongst the elite is causing social injustice and huge inequalities in a civil salary

[57] Ibid, and Natali, D. (2010) Election Imbroglio in Iraqi Kurdistan *Carnegie Endowment for international peace.* Available from: http://carnegieendowment.org/2010/02/22/election-imbroglio-in-iraqi-kurdistan-pub-31021 (Date accessed 10th August 2017).
[58] Hennerbichler, F. (2017) Interview with Nawshirwan Mustafa 1944-2017 *Youtube* Available from: https://www.youtube.com/watch?v=YRmV484SYgw (Date accessed 10th August 2017).
[59] Ibid.
[60] Ibid.
[61] Ibid.
[62] Ibid.
[63] Ibid.

dependent region, with many people below the poverty line.[64] Mustafa even stated that the elite minority in power are attempting to impose a constitution un-democratically on the people of the KRI.[65] Mustafa stated that the national security council belongs to the whole region not just the 'partisan rulers,' highlighting that institutions and industries for civil service jobs are held by the partisan institutions, where the PUK and KDP have threatened the rights of voters to vote freely in elections, as if they do not vote for the party that controls the public institution, then they get dismissed.[66] Mustafa added that in the last election of 2009, PUK dismissed more than 2000 employees and punished more than 4000 governmental employees for voting for Gorran, personifying that this is how the majority rule in the KRI.[67] With regards to press freedom, Mustafa said that in 2011, many journalists and their institutions were taken to court by the KRG's two leading parties, the aim being to financially bankrupt journalists and their institutions through numerous charges in the form of fines (as per the press law noted above).[68] Journalists feel as though they don't have security because of this and therefore are not protected.

The actions of the KRG's two ruling parties through political party interference in government, in the form of jobs and election votes affecting employment, are clear breaches of the Constitution of Iraq. Section two, of the Constitution of Iraq states under Article 14, that Iraqis are equal before the law without discrimination based on gender, race, ethnicity, nationality, origin, colour, religion, sect, belief or opinion or economic or social status. Article 15 states that *"Every individual has the right to enjoy life, security and liberty"* whilst article 16 makes it clear that *"equal opportunities shall be guaranteed to all Iraqis*." Clearly the monopolisation of institutions by political parties, and the fear factor of losing jobs based on votes, is a breach of all three mentioned articles.

It was the violations mentioned above that caused the protests in 2011, where Gorran and another party named the 'Kurdistan Islamic Union,' which is a combination of the religious leaders in the KRI, united on their stance against corruption by the ruling parties. A member of the Kurdistan Islamic Union's leadership council, Muthanna Ameen Nader, re-iterated the need for transparency and real democracy, otherwise the KRG could risk a revolution as this period was similar to 1990 and 1991.[69]

These themes were the basis for the protest in 2011, which also included youth groups like 'Youth of Sulaymaniyah' along with other high school and university students.[70] Amongst the dead of the 2011 protest, was a 15 year old school boy, Rezhwan Ali, who was shot in the head and died instantly after

[64] Ibid.
[65] Ibid.
[66] Ibid.
[67] Ibid.
[68] Ibid.
[69] Watts, N. (2016).
[70] Ibid.

security services fired live rounds arbitrarily into the protesting crowds.[71] Investigations for deaths of journalists by the KRG were called upon by *Amnesty International* in 2011[72] and 2013.[73] In 2015, additional requests were made into investigating the deaths of journalists, with armed political party militias also to be investigated,[74] this was also the case in 2016.[75] In addition, the organisation 'United Nations Human Rights office of the High Commission' recorded unfair imprisonments and killings of journalists in their year-end reports of 2011,[76] 2012,[77] with 2013[78] featuring the the big case of the death of Kawa Garmyani who was gunned down in front of his mother's eyes for his 'anti-corruption' journalism,[79] and also in 2014.[80]

Other related but separate incidents of unconstitutional behaviour in the KRI

The constant call for reform by Gorran caused a very questionable reaction by the KRG, where the KDP's security forces prevented the speaker of parliament and four other ministers from entering the capital of KRI; Erbil, and effectively their offices on Monday 12th October 2015.[81] The same government ministers were also Gorran party members, from the ministries of Finance, Peshmerga Affairs, Trade, and Religious Affairs.[82] The act was condemned by the other majority party members, including Gorran, the PUK, and smaller Islamist and Christian parties, through a signed a statement against the treatment of Gorran.[83] Yousif Mohammed, the parliamentary speaker who was prevented from entering his office said *"This is an occupation of Erbil ... and an attempt to launch a coup d'etat against the main source of legitimacy in Kurdistan, which is the parliament. But we, as the parliament, will not*

[71] Amnesty International (2011) Iraqi authorities must halt attacks on protesters *Amnesty International* Available from: https://www.amnesty.org/en/press-releases/2011/04/iraqi-authorities-must-halt-attacks-protesters/ (Date accessed 10th August 2017).
[72] Amnesty International (2011) Turkey/Iraq: Investigation needed into killing of civilians in the Kurdistan Region of Iraq. *Amnesty International* Available from: https://www.amnesty.org/en/documents/reg01/003/2011/en/ (Date accessed 10th August 2017).
[73] Amnesty International (2013) Iraq: Authorities must investigate killing of journalist. *Amnesty International* Available from: https://www.amnesty.org/en/documents/mde14/023/2013/en/ (Date accessed 10th August 2017).
[74] Amnesty International (2015) Iraq: Kurdistan Regional Government Must Rein In Armed Political Party Militias and Investigate Killings During Protests *Amnesty International* Available from: https://www.amnesty.org/en/documents/mde14/2711/2015/en/ (Date accessed 10th August 2017).
[75] Amnesty International (2016). Kurdistan Region of Iraq: Effective Investigation Needed Into Killing of Journalist *Amnesty International* Available from: https://www.amnesty.org/en/documents/mde14/4764/2016/en/ (Date accessed 10th August 2017).
[76] UNAMI (2011) Reports on Human Rights In Iraq: 2011 - *UNAMI Human Rights Office and Office for the High Commissioner for Human Rights May 2012 Baghdad* Available from: http://www.ohchr.org/Documents/Countries/IQ/IraqUNAMI-OHCHR_HR_Report2011_en.pdf (Date accessed 10th August 2017).
[77] UNAMI (2011) Reports on Human Rights In Iraq: July – December 2012 - *UNAMI Human Rights Office and Office for the High Commissioner for Human Rights* June 2013 Baghdad. Available from: http://www.ohchr.org/Documents/Countries/IQ/HRO_July-December2012Report.pdf (Date accessed 10th August 2017).
[78] UNAMI (2011) Reports on Human Rights In Iraq: July – December 2013 - *UNAMI Human Rights Office and Office for the High Commissioner for Human Rights* June 2014 Baghdad. Available from: http://www.ohchr.org/Documents/Countries/IQ/HRO_July-December2013Report_en.pdf (Date accessed 10th August 2017).
[79] KNNC (2013) Kawa Garmyani: Symbol of Glory. Available from: http://www.knnc.net/en/full-story-14328-31-False ; Mhamad, A, A. (2016) Atrocities against journalists undermine global reputation of the Kurds *The New Arab*. Available from: *https://www.alaraby.co.uk/english/comment/2016/8/17/atrocities-against-journalists-undermine-global-reputation-of-the-kurds* (Date accessed 10th August 2017), and Alliance for Kurdish Rights (2013) Another Journalist murdered in Southern Kurdistan *Kurdish Rights* https://kurdishrights.org/2013/12/08/another-journalist-murdered-in-southern-kurdistan/ (Date accessed 10th August 2017).
[80] UNAMI (2014) Reports on Human Rights In Iraq: January – June 2014- *UNAMI Human Rights Office and Office for the High Commissioner for Human Rights* August 2014 Baghdad. Available from: http://www.ohchr.org/Documents/Countries/IQ/HRO_Jan-Jun2014Report_en.pdf (Date accessed 10th August 2017).
[81] Iraq Oil Report (2015) KRG ruling party ejects rivals, escalating political crisis. *Iraq Oil Report* Available from: http://www.iraqoilreport.com/news/krg-ruling-party-ejects-rivals-escalating-political-crisis-16709/ (Date accessed 10th August 2017).
[82] Ibid.
[83] Ibid.

accept a coup."[84] It seems that democratically winning the second highest number of seats in the KRG parliamentary elections[85] was overlooked, along with democracy being compromised. In 2017, the situation was yet to be resolved. However, in June 2017, after a meeting between the KDP and the PUK, it was announced by the KRG that parliament would be re-opening soon with no specific date.[86]

It is clear so far that constitutional rights are not protected in practise, as effective enforcement is clearly redundant. There was an abuse of power by the ruling parties, who seem to be using their authority to award public service jobs based on nepotism and rewarding loyalty. Political opposition both in the government, in the assembly and through the expression of the civilian population through demonstrations, and even investigative journalism, is evidently being blocked and barricaded. The treatment of journalists, protestors, and those expressing their opposition through the rights given by the constitution, have had these rights violated. This has taken place along with other violations of constitutional rights, which effectively render democracy as ineffective, and in a state of failure. This is evidenced not only through the violations, but also the discontent of the masses and opposition political parties, with the closure of parliament and the ill-treatment of the opposition party 'Gorran' illustrating a very weak and ineffective democracy, with little or no respect for the constitution or its laws.

The final notes on the KRI's democracy in practice, is firstly, the situation regarding the delays in paying civil servant salaries by the KRG, and secondly, the refusal to step down beyond the legal term of the KRG president, Masoud Barzani. Barzani has been president of the KRI, and his family have effectively ruled the KDP since its inception in 1946, and was only supposed to serve in a term no longer than eight years, as per the draft constitution of KRI's article 64, established in 2009.[87] In an article by Kawa Hassan, who is the Director of the Middle East and North Africa program at the NGO, *EastWest* institute, Hassan stated that according to the time allowance of the presidential term, Barzani's term should have ended in 2013, with a general election taking place in the KRI for a new president, as per article 61 of the draft constitution of Kurdistan 2009.[88] However, in a deal in 2013 between the KDP and PUK, his term was extended by an additional two years. This decision faced resistance from opposition parties and from the KRI's general population, on the grounds that it was

[84] Salih, M. (2015) Political turmoil grips Iraqi Kurdistan. *Al Jazeera* Available from: *http://www.aljazeera.com/news/2015/10/iraqi-kurds-deteriorating-quickly-151013080729534.html* (Date accessed 10th August 2017).
[85] BBC News (2013) Iraqi Kurdistan opposition party beats PUK in elections. *BBC News* Available from: http://www.bbc.co.uk/news/world-middle-east-24362864 (Date accessed 10th August 2017).
[86] Rudaw (2017) Officials: Kurdistan to reactivate parliament; Gorran to preside over first session. *Rudaw News* Available from: http://www.rudaw.net/english/kurdistan/130620177 (Date accessed 10th August 2017).
[87] Kurdistan Tribune (2009) Draft Constitution of Kurdistan 2009. *Kurdistan Tribune* Available from: http://kurdistantribune.com/wp-content/uploads/2012/08/Kurdistan-Draft-Constitution-2009.doc (Date accessed 10th August 2017); also see Kelly, M, J (2010) The Kurdish Regional Constitution within the Framework of the Iraqi Federal Constitution: A Struggle for Sovereignty, Oil, Ethnic Identity, and the Prospects for a Reverse Supremacy Clause *Penn State Law Review*. Available from: https://www.google.co.uk/search?q=draft+constitution+of+kurdistan+region&oq=draft+constitution+of+Kurdist&aqs=chrome.1.69i57j0l2.5679j0j4&sourceid=chrome&ie=UTF-8 (Date accessed 10th August 2017).
[88] Ibid.

unconstitutional.[89] After his additional extended two-year reign came to an end as of August 19th 2015, the KDP and Barzani refused to adhere to the agreement, where Barzani remained the KRI president till 2017.[90] The unconstitutional behaviour of the KDP and Barzani caused the four main parties Gorran, PUK, the Kurdistan Islamic Union and the Kurdistan Islamic Group in the KRI to display heavy objection, requesting Barzani to step down, calling for a genuine parliamentary system to be respected.[91] However, Barzani was determined to hold on to his position, where he holds more power than the Prime Minister of the KRG, who is also his nephew, Nechirvan Barzani.[92] The KRG Prime Minister, Nechirvan Barzani, in his uncle's defence, has said that the president wants to remain in power till 2017's election in order to lead the fight against 'Islamic State of Iraq and al-Sham' (ISIS).[93] Whilst President Barzani himself, has said he wants to remain until his initiative for a referendum in the KRI for independence has taken place, which will effectively declare independence from Iraq.[94] In a separate article by the Kurdish *Rudaw* paper, Barzani stated that in the next elections for presidency he will not run in election and allow for a new candidate to replace him.[95]

The behaviour of Barzani, in the lack of respect for rule of law, and political terms in office, are again un-democratic, un-constitutional and at the very least unsettling for the region. One of the most unsettling factors is that Barzani who has illegally stayed in office beyond his legally sanctified terms, in 2017, called for a separation of the KRI from Iraq (for reasons to be mentioned shortly in this study). On the same token, the legacy of not adhering to laws and practises as promised, can be traced back to how the US oversaw the illegal making of the constitution (as discussed in Chapter 4). In a similar manner, the US displayed disregard for the clauses that set the deadlines, which if not met, would cause an illegality and void the whole constitution making process. However, when the law was not honoured, there was no repercussion. The same is occurring in the KRI, if the region seems to not uphold rights and laws, there seems to be no accountability or way to provoke adherence of the law, as the ruling parties directly interfere in politics as mentioned, with the closure of parliament by KDP security forces, and the control of public service positions and dismissals for not voting for the institution managing party.

[89] Hassan, K. (2015) Kurdistan's Democracy On The Brink. *EastWest* Available from: https://www.eastwest.ngo/idea/kurdistan%E2%80%99s-democracy-brink (Date accessed 10th August 2017).
[90] Ibid.
[91] Ibid.
[92] Neuhof, F. (2015) Iraq's Kurds, key U.S. ally in Islamic State fight, embroiled in violent political crisis *The Washington Times* Available from: http://www.washingtontimes.com/news/2015/oct/14/iraqs-kurds-key-us-ally-in-islamic-state-fight-emb/ (Date accessed 10th August 2017).
[93] Hassan, K. (2015).
[94] Wali, Z. (2016) Barzani: I will step down as president after we declare independence. *Rudaw* Available from: http://www.rudaw.net/english/kurdistan/230320161 (Date accessed 10th August 2017).
[95] Rudaw (2016) Barzani: I will not stand in next presidential elections. *Rudaw* Available from: http://www.rudaw.net/english/kurdistan/140720162 (Date accessed 10th August 2017).

A further reason to highlight the political turmoil in the KRI, is an on-going wage crisis, that has existed since 2015, where civil service salaries had not been paid for four months, causing 50,000 to go on strike in Sulaymaniyah, Iraq.[96] The reason behind this according to the KRG Minister of Natural Resources, was that a dispute between central government in Baghdad and the KRG had caused the situation stating "*In fact, the current economic crisis is a result of that agreement between Kurdish political parties and Baghdad.. Instead of sending $1 billion to the KRG per month, Baghdad sent us $200 to $300 million, which pushed the KRG to seek heavy loans to pay salaries.*"[97] The reason Baghdad cut the budget to the KRI was because of the declared intentions of President Barzani for a referendum, and permanent independence from Iraq, a confident declaration that was facilitated through the independent revenue stream of selling oil and keeping the revenues in the KRG.[98] Iraqi Prime Minister, Haider al-Abadi, had blamed mismanagement by the Kurds for the situation, stating *"I have a suggestion: Give us the oil and we will give every Kurdish employee a salary like we do for every Iraqi employee.*"[99] Although the crisis was also blamed on the low oil price, Abadi in a later interview in January 2017, made it clear that although times are difficult, wages are still paid to all those under Baghdad authority, stating *"We in Iraq are able to pay the salaries to this date with difficulties, and we are generally managing the country's economy with difficulties too,*" when asked about disagreements between Baghdad and the KRG, and the cuts to the Kurdish budget made by the Iraqi Central government.[100] Abadi added *"we are capable of heading the country's economy, and that needs transparency. The first question is where is the oil money and where is it going to? We are putting the oil money in an Iraqi fund, which the central bank receives in an account that is under its control and the finance ministry.*"[101] Abadi also expressed that all the financial institutions, including the International Monetary Fund (IMF) and the World Bank, have access to the Iraqi figures, and that transparency in the KRI was needed. Although the KRG still blamed Baghdad's Central government for freezing its budget to the KRG since February 2014, this along with low oil prices made it difficult to pay wages, also causing delays to the salaries of public servants. Additionally, when they are paid, they are only paid 25% of the months' salary.[102] Abadi made it clear that *"This level of clarity must be exercised in every place, including the Region. We are now calling for transparency and clarity so that we understand where this amount of money is going to. If the Region has some rights withheld by us,*

[96] Alaraby (2016) Thousands of 'unpaid' teachers strike in Iraqi Kurdistan. *Alaraby* Available from: https://www.alaraby.co.uk/english/news/2016/1/31/thousands-of-unpaid-teachers-strike-in-iraqi-kurdistan (Date accessed 10th August 2017).
[97] Rudaw (2015) KRG says delayed salaries to be paid this month. *Rudaw* Available from: http://www.rudaw.net/english/kurdistan/201020151 (Date accessed 10th August 2017).
[98] Ibid.
[99] Reuters (2016) Iraqi PM offers to pay Kurds' salaries in exchange for oil. *Reuters* Available from: http://www.reuters.com/article/mideast-crisis-iraq-abadi/iraqi-pm-offers-to-pay-kurds-salaries-in-exchange-for-oil-idINKCN0VO2D3 (Date accessed 10th August 2017).
[100] Rudaw (2017) Iraqi PM says KRG exports enough oil to pay for its public servants. *Rudaw* Available from: http://www.rudaw.net/english/middleeast/iraq/040120175 (Date accessed 10th August 2017).
[101] Ibid.
[102] Ibid.

we will pay, and if the rest of Iraq has some rights withheld by the Region, they should pay, so that there will be a balance in this issue."[103] The KRG eventually made some changes. After immense pressure from international oil companies operating in the KRI, along with the public outrage over delayed salaries, the KRG signed two agreements in October and November 2016, with two leading international financial institutions, Deloitte and Ernst and Young, for audits to take place in the KRG's oil and gas sectors.[104] The wage crisis was still not resolved when this research was conducted in September 2017.

One of the reasons that Baghdad had to be diplomatic, and in essence has no real authority in Kurdistan (even though it is a part of Iraq), is due to the legacy of a few extremely controversial and problematic clauses in the 2005 Constitution of Iraq. Article 115 of the constitution states that priority goes to the regional law, where there is a conflict between other powers that are shared between the federal government and the regional governments. Article 121,2 assists Article 115 by adding that where there is a contradiction between regional and national legislation regarding matters outside the exclusive authorities of the federal government, the regional power shall have the right to amend the application of the national legislation within that region. As mentioned in the constitution making chapter, this law is undefined and ambiguous, and leaves the regional power to do as it pleases. In solidifying the stance and positions of the KRG and other regions, Article 126 makes it clear that articles of the constitution cannot be amended, if amendments take away power from the regions, unless the region approves it through their legislative authority in a majority vote of its citizens through referendum. Effectively, regardless of the ordeals that the Iraqis in the KRI face, the CGI are powerless and cannot do anything, as the regional power over-powers them in that region. This is a clear example of the failure of federalism, an example of a very negative and foreseeable repercussion of the controversial clauses in the Constitution of 2005, which have clearly been abused to create unaccountable climates of autonomy for the ruling parties in the KRI. This particular point also begs the question, that had a more unified, inclusive and expressly clarified constitution been written, with full thought by people who were trained, with no time constraints, then the violations mentioned above would have arguably never taken place. However, this is not a guarantee, but it is my belief that the failings of the constitution have contributed greatly to the disorder mentioned above with regards to the KRI. This section on the KRI has made it clear that it is a failed region in terms of upholding rights and democracy, with little respect for the constitution, now it is time to look at CGI.

Part 2: The Central Government of Iraq (CGI)

[103] Ibid.
[104] Ibid.

Having looked at democracy and the constitution in practise in the KRI, it is also important to acknowledge how democracy and the constitution operate in practise in the CGI. I will look at the formation of the CGI very briefly, in terms of how the Prime Minister was initially selected, and the model adopted in the CGI, before looking into the processes of the CGI and measuring the adherence to both the constitution and also democracy. As we know from the constitution making chapter of this study, sectarianism was a dominant theme in the division and transfer of power, and therefore effectively the basis for the formation of the government. The sectarianism from the Kurds and the Shiite, that was also spiralling out of control on the ground between the people of Iraq,[105] urgently needed a solution. The proposed solution was a 'government of national unity' which was effectively a system where all of the major political parties that were in the parliament, were to be also represented in the government.[106] The conception was that if all the major parties had a stake in the government, they would work in unity for its functioning. Iraq's national unity government therefore, was sworn into power in May 2005, following the January 2005 elections.[107] However, a minor crisis did emerge initially in relation to which party should occupy the prime ministerial role, with the Islamic Supreme Council of Iraq (SCIRI) and the Sadrist movement trying to claim it. In reaching a compromise, the Islamic Dawa Party's (Dawa Party) secretary general Ibrahim al-Jaafari was selected.[108] During this period the Dawa party was not a major political force in comparison to the other parties, and was therefore not deemed a threat in any way.[109] In December 2005, the second government of national unity was selected, and eventually formed in May 2006, the same arrangements were kept, except this time al-Jaafari was replaced by Nouri al-Maliki, who was also a member of the Dawa party.[110]

During the selections, disputes were still present. Prominent Sunni politician; Saleh al-Mutlag, highlighted concern with why security was not addressed, as a defence minister alongside other posts had not been selected. Mutlag in walking out said that "*The main problem now is security, and they could not appoint defence and interior [ministers]. This session is illegal; they added seven ministries without getting approval.*"[111] Al-Mutlag, along with many others, had asked why the government had to wait a lengthy period of time, in order to fill the critical posts.[112] In a questionable move, Maliki stated he would temporarily manage and run the Interior Ministry, in the process he made a temporary appointment to the Defence Ministry, by placing Salam al-Zawbai, a Sunni politician, in two

[105] and also the basis for the focus of the constitution making in the Transitional Administrative Law and the constitution (see chapter 4) where sects fought for their own which dominated over national unity.
[106] Al-Ali, Z. (2014). *The Struggle for Iraq's Future*. Yale University Press, p.110.
[107] Ibid.
[108] Ibid.
[109] Ibid.
[110] CNN (2006) Iraq's new unity government sworn in. *CNN News* Available from: http://edition.cnn.com/2006/WORLD/meast/05/20/iraq.main/ (Date accessed 10th August 2017).
[111] Ibid.
[112] Ibid.

roles simultaneously, with his other role being deputy prime minister.[113] Zaid al-Ali who was a legal adviser to the UN in Iraq at the time, said that the formula for the formation of the government was ethnic or religious affiliation, with qualifications not having significance in the decision-making.[114] The sectarian government in Iraq was similar to that of Lebanon, where the president had to be Maronite Christian, the Prime Minister Sunni and the parliament speaker Shiite.[115] The setup in Iraq was one where positions were based on sect and race, with each senior official needing to work with deputies from other sectarian groups in order to balance the power that they held. So from 2006 until 2010 the president of Iraq was Kurdish, with two deputies; one Sunni and one Shiite, the Prime Minister was Shiite and had one Sunni and one Kurdish deputy, with the speaker of the parliament a Sunni, with a Shiite and Kurd as deputies.[116] The first fundamental democratic and constitutional flaw is that since political parties are allowed to choose their own representatives in government, their performance cannot be evaluated effectively; if they are found to be corrupt they are not fired but replaced by another party member.[117] This setup was called a 'frozen republic' by al-Ali who said that regardless of mistakes and crimes, ministers can remain in their positions until they themselves decide to bow out.[118] On the same token, the performance of government is compromised, as individuals are not selected based on the merit of ability. Instead, they are selected based on ethnicity and sect, making their ability redundant, issuing great concern for whether they are qualified enough to carry out the required tasks of the roles they take. This is something that comes through later in this section, with corruption dominating Iraqi politics through people who are not qualified, holding positions of authority and effectively acting unprofessionally, and therefore to the detriment of the Iraqi population. It should also be noted that such a setup of sectarian and ethnic considerations being qualifying factors, are arguably the worst forms of governance for nations that are in desperate need of the best and most qualified decision-makers who can lead them out of crisis. Allowing a climate where merit and ability is overlooked for the sake of unity and inclusion is questionable for the results it produces, even if the moral requirement is satisfied through fairness. Again, it will be reiterated here that this is an issue that should have been given more consideration in the making of the constitution, because this simple controversial aspect became the backbone of a failing state and the central cause of failure. This set up was still in place when this chapter was comprised in 2017.

In practise, the sectarian government that was meant to represent unity, similar to the constitution making process, had each sect looking out for their own interests, which foreseeably would create divide in the society it represented, again in the name of 'unity.' One example was Adnan al-Dulaimi

[113] Ibid.
[114] Al-Ali, Z. (2014), p.111.
[115] Ibid.
[116] Ibid.
[117] Ibid, p.112.
[118] Ibid.

who was a member of parliament representing the Tawafuq Alliance, which was the largest Sunni parliamentary bloc, with Dulaimi also part of the IGC in 2003.[119] When attacks had occurred in Shiite areas, Dulaimi and his party had failed to issue formal denunciations, which were given by the rival Shiite parties, one of the reasons being that they themselves may be targeted by the perpetrating Al-Qaeda groups also, as there was little or zero protection in an Iraq operating with little security and in a climate of fear for politicians.[120] However, what was concerning was that Dulaimi on 13th December 2006, in a conference in Istanbul, directly condemned what he called Iranian backed Shiite militias attempting a genocide against the Sunnis. Dulaimi stated *"By God if you are not careful and if you do not wake up, Iraq will be gone and Baghdad will be gone. It is a sectarian war! It is a sectarian struggle that aims to eradicate the Sunnis . . . Your [Sunni] brothers in Iraq and especially in Baghdad will be destroyed. They will be trampled under the feet of the Shia. They will be exterminated."* [121]The fact that such a statement could be made by a member of parliament, with outcomes clearly foreseeable in terms of division and alienation of the sects is concerning, and highlights the lack of unity with the system in place.

Even the Prime Minister Maliki himself, was caught in a situation where initially he called for unison in a statement that persuaded parliament to create unity by any means necessary."*[122]* However, when interrupted by the former constitutional drafter (who was amongst the Sunnis that were drafted late a month after the drafting process has started), Sheikh Abdul Nasser al-Janabi, was a member of parliament who interrupted:

"*I would like to ask the prime minister: why are our cities under siege? The siege that has been imposed on Haifa Street should be lifted. A siege should not be imposed on Haifa Street or on Sadr City or on any other city. Why are civilians being trapped and killed everywhere? The prime minister should be held responsible for the death of any civilian. You should be killing terrorists and not besieging civilians.*

• The release of detainees in the prisons controlled by the Ministries of the Interior and Defence. We talk about the past prisoners while the worst types of violations of human rights are taking place in the government's prisons . . .

• Information received by the security agencies should be scrutinized by two different sides because some agencies are infiltrated which results in a continuous conflict. Arresting women should be forbidden in all cases. [applause] The security and defence committee should have access to the security plan otherwise the Council of Representatives will not be able to exercise its oversight role.

• The firing of officers and civil servants under the pretext of de- Ba'athification should stop. What kind

[119] Ibid, p.114.
[120] Ibid.
[121] Ibid, p.115.
[122] Statement 25th January 2007 taken from Ibid An official transcript of the exchange is available at: www.parliament.iq and a video extract is available at: www.youtube.com/watch?v=BvnwUCC70X4 (Date accessed 10th August 2017).

of national reconciliation are you talking about when you are implementing rules that marginalize Sunnis? The emergency law ended on 3/1/2007. The policy of sentencing innocent people to death should stop because such sentences are politically motivated . . . We cannot trust the prime ministry!

***Nouri al- Maliki**: The Sheikh will learn to trust the prime ministry after I reveal documents that incriminate him and after I hold him accountable for what he has done. [applause] 150 people have been kidnapped in the Buhayrat area and he hasn't mentioned them! He is responsible for those kidnappings!*

***Speaker Mahmoud Al- Mashhadani**: It is unacceptable for the Prime Minister to make such accusations against a member of the Council of Representatives within the parliament itself! How will the Baghdad security plan work if you are divided in this way? It is equally unacceptable for members to applaud an accusation that is made against a member of the Council of Representatives, when that member has immunity . . . You are dividing the Iraqi people. What will people watching this say? We are fed up of sectarianism."*[123]

Maliki makes it clear that the voicing of opinions, and even displaying facts regarding the situation in Iraq (both on the ground and in the parliament), will result in the use of his power as commander in chief to incriminate those raising views in his opposition. Janabi, in the statement only held Maliki accountable due to the responsibility of his position, contrastingly Maliki responded with direct accusations, with specific acts of kidnappings being mentioned. This is a clear abuse of power, and not the way to conduct negotiations and dialogue in parliament. What is also concerning is the mention of de-Baathification being prevalent in maintaining and further creating dis-unity by Janabi, something that the world believed was only unique to the time of the CPA in Iraq. After the Constitution of Iraq was ratified, it was widely accepted that this had come to an end, as members were removed and prevented from future engagements. However, what seemed to be the case is that de-Baathification was still being used, but this time the purpose was not solely to prevent the ex-regime from taking power, it was also being used to eliminate political competition.

The de-Ba'athification process, covered in the previous two chapters of this study, still took place in 2010, and was being used with a distinguished political purpose, beyond keeping Ba'athist ideologies and influence at bay. In January 2010, two months before the March elections for parliamentary seats, the de-Baathification commission banned 511 candidates from the parliamentary election for alleged links to the Baath party. This was a decision that was influenced by one of the commission's members, Ahmed Chalabi, who was also running as a candidate in the commission, thus causing a conflict of

[123] Ibid.

interest.[124] It should be noted that of the banned 511 candidates, the majority were Sunni, again causing dis-unity in the government and effectively amongst the population.[125] After initially being criticised for how security, sovereignty and reconstruction were dealt with in his term as prime minister under a coalition called United Iraqi Alliance (UIA), Maliki in an attempt to create unity and effectively secure votes, became part of a new coalition alliance called the 'State of Law,' which like the UIA included the Dawa party.[126] The aim of the State of Law coalition was to gain *"the strength to build and improve services*" according to its website, and lists a number of its significant achievements like the creation of 1300 healthcare centres, 12 hospitals and 8 universities.[127] However, many critics saw this coalition as an attempt by Maliki to hold on to power for longer than he should.[128] The other alliance was the Iraqiya coalition, led by Ayad Allawi, a former prime minister in the post-Saddam government, and includes Allawi's Iraqi National Accord, the Iraqi Front for National Dialogue, and other Sunni parties.[129] Allawi was also joined by Tareq al-Hashemi, who was at the time, current vice-president, and the highest-ranking Sunni in office and critic of Maliki's government.[130] Iraqiya took a setback in January 2010, when most of its prominent members, predominantly Sunni politicians including Saleh al-Mutlaq and Dhafir al-Ani were effectively banned from running, for alleged ties to the former Baathist government.[131] Ayad Alawi, although Shiite, had aimed to create a united secular alliance with Iraqiya, with the majority of its members being Sunni, and a discourse that was nostalgic for a 'non-sectarian past.'[132]

On the parliamentary elections held on 7th March 2010, the party with the highest votes would have the prime minister role, which was the most powerful role in the country. However, when the results were released, Maliki would not accept them. The State of Law coalition only received 89 seats in parliament, second to Ayad Alawi's secular Iraqiya party who got 91, forming a majority and therefore having the Prime Ministerial duty.[133] It should be acknowledged that Iraqiya won, despite facing a period of discrimination and exclusion on a last-minute basis, through the use of the de-Ba'athification rule. Had de-Ba'athification not taken place, then there would arguably have been an Iraqiya support that constituted a more significant and powerful outcome (more so than winning the two seats that it had obtained). The first thing that Maliki did was request a recount stating: *"there are demands from*

[124] Al-Ali, Z. (2014), p.125.
[125] Ibid.
[126] Aljazeera (2010) Iraq's most powerful coalitions. *Aljazeera* Available from: http://www.aljazeera.com/focus/iraqelection2010/2010/03/20103493048404203.html (Date accessed 10th August 2017).
[127] Ibid.
[128] Ibid.
[129] Ibid.
[130] Ibid.
[131] Ibid.
[132] Al-Qarawee, H, H. (2014) Iraq's Sectarian Crisis – A Legacy of Exclusion. *Carnegie Middle East Centre*, *Carnegie Endowment for International Peace*, p.9.
[133] Nordland, R. (2010) Maliki contests the result of the Iraq vote. *New York Times* Available from: http://www.nytimes.com/2010/03/28/world/middleeast/28iraq.html (Date accessed 10th August 2017).

several political blocs to manually recount the votes and to protect the democratic experience and preserve the credibility of the political process."[134] Maliki, before the election results were officially published, stated in a threat:

"Because the elections held on 7 March represented an important step towards promoting Iraq's democratic experience, and because of demands from several political blocs for a manual recount of ballots and to safeguard the democratic experience and maintain the credibility of the electoral process, I demand, in my capacity as the direct executive authority responsible for the formulation and implementation of state policy and in my capacity as commander in chief of the armed forces, that the Independent High Electoral Commission respond immediately to the demands of these blocs to safeguard political stability and prevent security from deteriorating and violence from increasing."[135]

Maliki used his role as commander in chief to affirm his authority. The way he has used this along with mentioning security prevention and the increase of violence is alarming, with Al-Ali translating this as a potential threat to the use of his force and powers.[136] Effectively, a recount was granted and no fraud was found, with Qassim al-Aboudi, a spokesman for the Independent High Electoral Commission (IHEC) stating *"There is no proof … that there was fraud or manipulation or big mistakes*."[137] Maliki still did not accept that he had to give up his position as Prime Minister, and started to incite that Iraqiya represented a return of the Ba-athist regime, and through pressuring the Shiite parties and gaining Iranian support, he managed to secure a second term in office.[138] It should be noted that Iraqiya was the only political alliance to attract both Sunni and Shiite voters, where Maliki did not win a single seat in predominantly Sunni governorates.[139] Through an agreement named the 'Erbil Agreement,' which was incited due to the lack of agreement after elections to form the government, with disputes lasting over eight months, the goal was to limit the powers of the prime minister and settle the disputes of who should take which posts.[140] The Erbil Agreement was to keep Maliki in power till 2014, provided that powers would be limited, but Maliki had retained control over the interior and defence ministries, along with the elite military brigades.[141] The Erbil Agreement had the Iraqiya group compensated with important positions such as minister of defence, but in the end Maliki held the power in an actuality that went against the agreement. What happened instead was

[134] Reuters (2010) Iraq's Maliki asks for recount, warns of violence *Reuters* Available from: http://www.reuters.com/article/idUSLDE62K01I (Date accessed 10th August 2017).
[135] Al-Ali, Z. (2014), p.127.
[136] Ibid.
[137] Reuters (2010) Iraq election recount over, no fraud found. *Reuters* Available from: http://www.reuters.com/article/us-iraq-election/iraq-election-recount-over-no-fraud-found-idUSTRE64D3Y220100514 (Date accessed 10th August 2017).
[138] Al-Qarawee, H, H. (2014), p.9.
[139] Crisis Group (2012) Iraq's Secular Opposition: The Rise and Decline of Al-Iraqiya. *Crisis Group* Available from: https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/iraq/iraq-s-secular-opposition-rise-and-decline-al-iraqiya (Date accessed 10th August 2017).
[140] The National. (2010) Iraq reaches power-sharing deal to form government. *The National* Available from: https://www.thenational.ae/world/mena/iraq-reaches-power-sharing-deal-to-form-government-1.488581 (Date accessed 10th August 2017).
[141] Ibid.

the opposite, leaders of Iraqiya started to be marginalised in government, and were exposed to intimidation (similar to the statement by Maliki towards Janabi above), and arrests took place by security forces under the laws of anti-terrorism and de-Ba-athification.[142]

This immediately started with Tariq al-Hashimi, the vice president at the time being accused of plotting terrorist attacks, which effectively caused him to flee Iraq where he was then sentenced to death by hanging in absentia.[143] In addition to this, Maliki also declared Deputy Prime Minister, Saleh al-Mutlak, persona non-grata for referring to Maliki as a dictator.[144] Both Hashimi and Mutlak were Sunni and from Iraqiya. A third decision that Maliki took, effectively started the Sunni Insurgency, which later became ISIS. In 2013 Maliki made similar accusations against Rafi al-Issawi, who was the minister of finance and also an Iraqiya leader, these actions caused protests in Sunni regions, in particular a mass protest in Anbar province, against the government policies.[145] The events that started with the US occupation, a Shiite dominated government, the ongoing marginalisation of policies with de-Ba-athification and the purging of any opposition which mainly was from the Sunni camp, created a rejectionist attitude that fed the Sunni Insurgency.[146] It should also be remembered that the military that was dissolved under the CPA Order Number 2 (mentioned in the previous chapter), was Sunni dominated, with a significant number of Iraqis with arms. These former soldiers who were armed, were closely watching the marginalisation on the news. The breakaway fraction of Al Qaeda, the Islamic State of Iraq and the Levant (ISIL, also known as Islamic State of Iraq and Syria ISIS) was formed in April 2013, with full advantage being taken of the Sunnis who felt marginalised through the political process, they started to believe that their inclusive future was in a different nation state, with ISIS promising their inclusion.[147]

Maliki's power seize and centralisation of power started in his first political term in office, when he created the 'Office of the Commander in Chief' (OCINC), which was a command centre where he had direct access to all the commanders in the country with military units at his personal disposal.[148] OCINC oversees Iraq's most prominent elite security divisions: the 56th Brigade of the 6th Iraqi Army Division also known as the Baghdad Brigade, and also the 1st and 2nd Presidential Brigades report to OCINC and are the Prime Ministers guarding force.[149] It was the Baghdad Brigade (which has roughly 3000 soldiers

[142] Ibid.
[143] The Guardian (2012) Iraq vice-president sentenced to death amid deadly wave of insurgent attacks. *The Guardian* Available from: https://www.theguardian.com/world/2012/sep/09/iraq-vice-president-hashemi-death-sentence (Date accessed 10th August 2017).
[144] Crisis Group (2012).
[145] Al-Qarawee, H, H. (2014) p9 and Aljazeera. (2013) Iraqi finance minister announces resignation. *Aljazeera* Available form: http://www.aljazeera.com/news/middleeast/2013/03/2013320445546227.html (Date accessed 10th August 2017).
[146] Ibid, p.11.
[147] Ibid.
[148] Sullivan, M. (2013) *Maliki's Authoritarian Regime*. Middle East Security Report, p.11.
[149] Ibid.

and possesses T72 Tanks) that pounced on Hashemi and Issawi mentioned above in raids.[150] It was also the OCINC that would conduct purges on Sunni Army officers who had taken aggressive action against Shiite militias who had acted unlawfully.[151] Maliki created a questionable environment through an OCINC department called the Counter-Terrorism Service, which was established in April 2007 and is funded by OCINC as opposed to the Ministry of Defence.[152] The agency however lacks laws and regulations that are clearly defined, meaning that the potential for abuse or unlawful conduct is high, and accountability is very difficult.[153] The irony of the Counter Service and Maliki's policies, is in the fact that the director of the CTS is a former Ba-athist named Dhia Kanani, but because Kanani does not fall into the category of political competition, de-Ba-athification seems to have been quietly overlooked.[154] The counter terrorism service also controls one of Iraq's most prominent elite forces, the 'Iraqi Special Operations Force,' all of the above mentioned forces are outside of the constitution of Iraq, and therefore illegal.[155] The Iraqi Special Operations Force (ISOF) brigades do in fact report to the Counter-Terrorism Command, which was taken from under the wing of the Ministry of Defence to reside under the Counter Terrorism Service.[156] It should be noted that ISOF, which is effectively a subsidiary of the OCINC, is unconstitutional, and through these institutions Maliki has committed numerous questionable actions; one of them was arresting two popular Sunni politicians in a raid that also killed one person in Dyala governor's office in 2008.[157] There was another purge, again close to elections. In December, 2008, ISOF also arrested numerous Shiite rivals of Maliki just before elections, with the minister of interior Jawad Al Bolani stating "*It's because of the competition of the provincial elections.. It's just electoral propaganda, and that's playing with fire*."[158] One particular Sunni Human Rights advocate and leader, had actively condemned the abuse of prisoners in Iraqi prisons that were motivated by eliminating political competition, and facilitated through the use of sectarian militias. This Sunni leader and preacher Harith al-Obaidi, was assassinated in the mosque after the Friday prayers sermon.[159]

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[150] Ibid.
[151] Partlow, J. (2007) Maliki's Office Is Seen Behind Purge in Forces. *The Washington Post* Available from: http://www.washingtonpost.com/wp-dyn/content/article/2007/04/29/AR2007042901728.html (Date accessed 10th August 2017).
[152] Ibid.
[153] Crisis Group (2010) Loose End: Iraq's Security Forces between U.S. Drawdown and Withdrawal. *Crisis Group* Available from: https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/iraq/loose-ends-iraq-s-security-forces-between-us-drawdown-and-withdrawal (Date accessed 10th August 2017).
[154] Gordon, M., & Trainor, G, B. (2012) *The Endgame: The Inside Story of the Struggle for Iraq, from George W. Bush to Barack Obama*. New York: Pantheon Books, p.543.
[155] Michaels, J. (2009) Chain of command concerns raised in Iraq. *USA Today* Available from: http://usatoday30.usatoday.com/news/world/iraq/2009-02-23- maliki_N.htm (Date accessed 10th August 2017).
[156] Defense Gov (2009) Measuring Security and Stability in Iraq, Department of Defense Report to Congress. *US Department of Defence* Available from: https://www.defense.gov/Portals/1/Documents/pubs/Master_9204_29Jan10_FINAL_SIGNED.pdf (Date accessed 10th August 2017).
[157] Parker, N. & Redha, U. (2003) Elite Iraqi troops storm governor's office in Diyala. *Los Angeles Times.* Available from: http://articles.latimes.com/2008/ aug/20/world/fg-iraq20. (Date accessed 10th August 2017).
[158] Robertson, C. & Maher, T. (2008) 24 officers to be freed, Iraqi says. *New York Times*. Available from: http://www.nytimes.com/2008/12/20/world/middleeast/20iraq.html?mcubz=1 (Date accessed 10th August 2017).
[159] Nordland, R. (2009) Sunni Lawmaker Assassinated in Iraq. *New York Times.* Available from: http://www.nytimes.com/2009/06/13/world/middleeast/13iraq.html?mcubz=1 (Date accessed 10th August 2017).

Manipulation of the Judiciary

Apart from the OCINC, and the abuse of the security services of Iraq for political agendas, Maliki also managed to capitalise on the Judiciary, again to his favour. Under Article 87 of the 2005 Constitution of Iraq, judicial power is independent. Judges under Article 88 are also classed as independent, with no law or authority over them being allowed, except from the law. Article 92 states that the 'Federal Supreme Court' is an independent judicial body, both financially and administratively, with Article 93 giving the Federal Supreme Court the power of interpreting the provisions of the constitution. The most effective way in legitimising decisions would be if Maliki could state that any decisions or laws he imposed were in line with the interpretation of the constitution. Therefore, if the constitution was interpreted in his favour through interference in the judiciary, then Maliki would have control of the judiciary also.

This effectively happened with a few controversial decisions taking place that need to be noted, these were in clear breach of the separation of powers as per the constitution. One of the judges in the Supreme Court was Medhat al-Mahmoudi who was respected widely in the Arab world and was Chief Justice of the Court since 2003.[160] The first instance as referenced by Al-Ali occurred when the court ruled after the banning of the 511 electoral candidates, that the matter would be resolved after the elections, with banned candidates not allowed to partake in the elections in the meantime.[161] Judge Mahmoud then met with Maliki, and reversed the appeal court ruling to state that the matter had to be resolved in a number of days, causing criticism for a lack of separation of powers.[162] The Supreme Court issued a decision in August of 2011, that Jawad al-Bolani be removed from his parliamentary seat, although he stood for elections in 2010, he did not achieve enough votes for a seat but was entered into parliament because his political party 'Unity of Iraq' had stood in Salah al-Din Province and was given the Ministry of Interior portfolio, who in turn gave the seat to Bolani. The court held that Bolani could not replace a candidate who stood in another province.[163] The issue was that Bolani was a stern critic of Maliki, and that the same ruling did not apply to unseat Salim Adbullah al-Jubouri who was an Iraqi Islamic Party member with similar circumstances, the difference was that al-Jubouri was not a critic of Maliki.[164] In May, 2012, parliament was prevented from questioning the minister of higher education, who was one of Maliki's closest ministers, despite a constitutional mandate.[165] This

[160] Al-Ali, Z. (2014), p.132.
[161] Ibid, p.133.
[162] Ibid.
[163] Ibid, and pp.266-267.
[164] Ibid, p.133.
[165] Ibid.

proven mechanism was applied by Maliki in other areas of state institutions, for example the independent agencies of the state which started a whole chain of unconstitutional decisions.

Even more questionable with regards to the democracy and constitutional application in Iraq, was a decision in January, 2011, where the supreme court made independent agencies accountable to the government even though the provisions of the constitution rendered them part of the independent parliament.[166] Although this was partially backtracked due to criticism from Maliki's opponents over the weakness of reasoning for the initiative, the decision was still binding over numerous institutions such as the integrity commission.[167] From 2011, Maliki's government sent instructions to particular agencies to regulate their decisions and those that resisted were subjected to questionable outcomes.

One of those who resisted, was Judge Rahim al-Ugaili, head of the integrity commission and was forced to resign in September 2011, whilst criminal charges were brought against the central banks governor in October 2012, and the deputy governor in December 2012.[168] Even the intelligence apparatus of Iraq had been placed under Maliki's control, where he had the ability to collect information on his competition enabling him to target them.[169] Iraq has six intelligence agencies that are in competition; the Iraqi National Intelligence Service (INIS), the Ministry of State for National Security Affairs (MSNSA), the Military Intelligence Directorate (M2 - within the Ministry of Defence's Joint Headquarters), the Directorate General for Intelligence and Security (DGIS) also within the Ministry of Defence, the National Information and Investigative Agency (NIIA - within the Ministry of Interior), and finally the Office of Information and Security (OIS) within the OCINC.[170] Judge al-Ugaili, who effectively resigned, was a big anti-corruption proponent, with Iraq's deadly unrest causing issues around electricity and clean water still present, every penny in Iraq's budget was crucial and of great importance. A *Crisis Group* report in 2011 highlighted how the Board of Supreme Audit, the Inspector General, Parliament and the courts were required to monitor the government operations, but were unable to do so due to government interference, despite the 2005 Constitution of Iraq calling upon the mentioned entities to operate checks and balances.[171] *Crisis Group* also highlighted how the Federal Supreme Court decided high profile cases in the favour of Maliki after political pressure was placed upon it.[172] Ugaili, in 2008 referred over 300 cases of corruption to court, and made it clear that corruption would be fought in all measures and by any means necessary, as the money being stolen was effectively money that the state desperately needed to repair initiatives still damaged from

[166] Ibid, pp.133-134.
[167] Ibid.
[168] Ibid.
[169] Sullivan, M. (2013).
[170] Ibid.
[171] Crisis Group (2011) Failing Oversight: Iraq's Unchecked Government. *Crisis Group.* Available from: https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/iraq/failing-oversight-iraq-s-unchecked-government (Date accessed 10th August 2017).
[172] Ibid.

2003.[173] However, it was this same Ugaili who was so effective in his anti-corruption measures that was pressured by the government to resign.[174]

The US embassy in 2007 concluded that Maliki's office had expressed "*open hostility*" to the principle of institutions being independent. This was established when withholding of information from the Integrity commission took place and secret orders from the Prime Minister's office has prevented the integrity commission from referring cases relating to high ranking officials to the courts.[175] Maliki's office and the office of Vice President Adel Abd al-Mahdi had prevented certain cases from being pursued in court, whilst Maliki was also accused by US officials of ordering his staff to replace Integrity Commission Personnel.[176] Before Judge Ugaili's dismissal, Judge Radhi Hamza al-Radhi had resigned after accusing security forces of being complicit in large scale corruption and attacking his home.[177] Radhi referred to the integrity commission as the Commission of Public integrity and testified before the House Government Oversight stating:

"*thirty-one employees have been killed as well as at least twelve family members. In a number of cases, my staff and their relatives have been kidnapped or detained and tortured prior to being killed. Many of these people were gunned down at close range. This includes my staff member Mohammed Abd Salif, who was gunned down with his seven-month pregnant wife. In one case of targeted death and torture, the security chief on my staff was threatened with death many times. His father was recently kidnapped and killed because of his son's work at CPI. His body hung on a meat hook. One of my staff members who performed clerical duties was protected by my security staff, but his 80-year-old father was kidnapped because his son worked at CPI. When his dead body was found, a power drill had been used to drill his body with holes. Waleed Kashmoula was the head of CPI's Mosul branch. In March 2005, a suicide bomber met with Waleed in his office...and then set off his vest [bomb], killing Waleed....My family's home has been attacked by rockets. I have had a sniper bullet striking near me as I was outside my office. We have learned the hard way that the corrupt will stop at nothing."*[178] Radhi subsequently appeared before the U.S. House of Representatives Oversight Committee on 4 October 2007, and also the Senate Committee on Appropriations on 11 March 2008, where he repeated the same allegations and added that from the 3,000 corruption cases in which his

[173] Reuters (2008) Iraq says 300 officials charged with corruption. *Reuters.* Available from: http://uk.reuters.com/article/us-iraq-corruption-sb/iraq-says-300-officials-charged-with-corruption-idUKTRE4AH58D20081118 (Date accessed 10th August 2017).
[174] Cockburn, P. (2011) Iraq regime tries to silence corruption whistleblowers. *The Independent*. Available from: http://www.independent.co.uk/news/world/middle-east/iraq-regime-tries-to-silence-corruption-whistleblowers-2362637.html (Date accessed 10th August 2017).
[175] Crisis Group (2011).
[176] Ibid, p.6.
[177] In an interview, Judge Radhi said, "they have militias, and they attacked my neighbourhood with missiles, and these missiles fell very close to my house". NBC News (2007) Iraq Official: Corruption has Crippled Iraq *NBC News* Available from: http://www.nbcnews.com/id/20040662/ns/nbc_nightly_news_with_brian_williams-nbc_news_investigates/t/iraqi-official-corruption-has-crippled-iraq/#.WjlZHyOcau4 (Date accessed 10th August 2017).
[178] The Nation (2007) Judge Radhi testifies on Iraqi corruption. *The Nation*. Available from: http://www.mafhoum.com/press10/307S24.htm (Date accessed 10th August 2017).

commission had investigated and forwarded to the courts for prosecution, only a mere 241 had actually been adjudicated.[179] Shortly after the resignation of Judge Radhi, the Iraqi government appointed Mousa Faraj, who was to be the head of the Integrity Commission. Faraj, similar to Radhi, repeated the previous concerns and despite having support from the US officials, especially after the episode of Radhi, the Iraqi government still managed to dismiss him with Judge Ugaili as his replacement which we also know to have resigned.[180] The fact that so many judges have either resigned or been dismissed signifies great concerns for Iraq's corruption, especially at a time when the country was facing great upheaval through civil unrest, escalated by the lack of electricity, clean water and petrol, all departments that were under great scrutiny for extreme corruption.[181]

Abuse of De-Ba-athification rule

What is rather ironic about Iraq is the manipulation of de-Ba-athification for political purposes, which partly was mentioned above, but one key aspect remains and must be questioned. De-Baathification was used to justify unemployment and exclusion of so many Iraqis, it was used as a justification for a new constitution, also as mentioned above it was used to exclude candidates from standing in elections, and more often than not the case was presented last minute. As mentioned above, the case to exclude those running for parliament last minute because of Ba-athist links was often decided by Maliki's secret intelligence teams, who would foresee the scope and power of such individuals, and if deemed a competitive threat, they would have the Ba-athist claims brought to the forefront. However, one pressing concern is the maintained use of the Criminal Procedure Code that was from the Saddam Hussein era and was used from 2003-2011 by the Iraq government.[182] Article 136(b) of Law 23 of the 1971 Criminal Procedure Code of Iraq states that an investigative judge cannot prosecute a state official without the relevant ministers permission, which meant that ministers could unilaterally give immunity to those under them.[183] *Crisis Group* highlighted that from 2005 to 2008 the Integrity commission recorded 210 isolated instances where article 136(b) was used with the oil, transport, municipality and electricity ministers being the worst of offenders, with 54 instances recorded in 2009 and 172 in 2010.[184] As *Crisis Group* highlighted, it was used over a hundreds times, and it cannot be accurately said whether the use was to protect political appointees from prosecution, however, a reform finally came in 2011 to put an end to the abuse of the former Saddam era law.[185] This should

[179] Ibid.
[180] Crisis Group (2011), p.6.
[181] Ibid.
[182] Ibid, p.7.
[183] Ibid, p.8.
[184] Ibid.
[185] Ibid.

still be questioned however, as the very fact that de-Ba-athification was the basis for so many decisions, but somehow an element of the previous Ba-athist regime was maintained and still utilised for political gains.

Parliament and Corruption

With regards to Parliament, this has been deemed by many as indistinguishable from government with the speaker of Parliament who was appointed in 2006 being a Sunni from the Tawafuq Alliance (Sunni party), Mahmoud al-Mashhadani, and had previously prevented the legislature from being able to exercise any oversight of the government for over two and a half years.[186] One of the contributing issues was that the parliament speaker which had to be a Sunni Arab and his deputies a Shiite and a Kurd held such a great deal of authority (even including the hiring of support staff), which contributed to parliamentary paralysis.[187] Similar to what was mentioned above with regards to qualifications not being a decisive filter for who attains positions in government and parliament, individuals who took positions (like parliamentary speaker amongst many others) had little or no training and lacked understanding on how parliament functioned.[188] This automatically set members up for failures, simply because they were not qualified. Often, nepotism also affected selection, to the extent that some parliament members were found to possess fraudulent university degrees.[189]

Mashhadani for many reasons was not effective in anti-corruption reforms, and had numerous controversial outbursts, with critics that wanted him to step down from the beginning of his term, till he eventually stepped down in December 2008.[190] In April 2009, a new speaker of parliament was appointed; Ayad al-Samarai who was selected based on efficiency and professionalism. When al-Samarai did investigate fraud and corruption, he started with Faleh al-Sudani who was the Minister of Trade and one of Maliki's closest allies.[191] Pre-2003, the ministry of trade was responsible for making food rations available to citizens through purchasing staple goods on international markets, and providing them to Iraqis without restrictions or discrimination.[192] Post-2003, the ministry started to cut back on the amounts that were distributed and cut down on certain items, and it was also discovered

[186] Al-Ali, Z. (2014), p.202.
[187] Crisis Group (2011), p.19.
[188] Ibid.
[189] Ibid.
[190] Salaheddin, S. (2006) Iraqi Sunnis Ask Speaker to Step Down. *Washington Post*. Available from: http://www.washingtonpost.com/wp-dyn/content/article/2006/08/15/AR2006081500125.html (Date accessed 10th August 2017) and Mohammed, R. & Williams, T. (2008) Former Iraqi Parliament Speaker Spreads Blame. *The New York Times.* Available from: http://www.nytimes.com/2008/12/25/world/middleeast/25iraq.html (Date accessed 10th August 2017).
[191] Al-Ali, Z. (2014), p.202.
[192] Ibid.

that items of food were not fit for consumption as they were contaminated.[193] Al-Sudani was a member of Maliki's Dawa party, and had ultimately been responsible for allowing expired foods to enter Iraq and also allowing truck-loads of foods to go missing without accountability, under his watch.[194] When inspections initiated, one inspector general who questioned certain practises was relocated to the Iraqi embassy in China.[195] On another investigation, where investigators and auditors clamped down on the ministry in a very meticulous and bold attempt to make it clear that corruption would not be tolerated, a female auditor leaving the building and entering her car also had a live grenade thrown in to join her.[196] However, the auditor survived and her sacrifice came to fruition along with her colleagues at the Integrity Commission, who managed to obtain enough information to hold both Faleh al-Sudani and his brother Sabah al-Sudani for financial and administrative corruption.[197] This came after Faleh al-Sudani had already stepped down due to corruption allegations initially, and even attempted to create a diversion by booking two flights to leave the country, however the second flight was pulled back by the Iraqi government and al-Sudani was arrested.[198]

Corruption existed in other ministries, for example the acting defence minister Saadun al-Dulaimi was caught in 2012, for declaring officially that he had a 9% discount on a Russian arms deal worth $4.2billion.[199] In fact, it turns out that he actually had managed to negotiate 30% discount keeping the other 21% which accumulated to $882 million.[200] This seems to be a normality in Russia, where down payments of commission are made in advance to those middle-manning deals between the buying nation and the Russian state, where the Iraq deal 'kickback' was estimated in an article as $500 million.[201] When the corruption allegations were made, the deal was initially declared to be cancelled,[202] but was declared on as normal and eventually went through a month later. [203]

After having witnessed all of the above corruption as stated, along with all the other structural flaws and abuses of power, and how the political process was manipulated and fixed, Obama, in December 12, 2011, said:

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[193] Ibid, p.203.
[194] CBS News (2009) Ex-Iraqi Trade Minister Arrested For Graft. *CBS News*. Available from: https://www.cbsnews.com/news/ex-iraqi-trade-minister-arrested-for-graft/ (Date accessed 10th August 2017).
[195] Al-Ali, Z. (2014), p.203.
[196] Ibid.
[197] Bakri, N. (2009) Iraq's Ex-Trade Minister, Abdul Falah al-Sudani, Detained in Graft Investigation. *Washington Post Foreign Service*. Available from: http://www.washingtonpost.com/wp-dyn/content/article/2009/05/30/AR2009053001089.html (Date accessed 10th August 2017).
[198] Ibid.
[199] Al-Ali, Z. (2014), p.216.
[200] Ibid, p.217.
[201] Felgenhauer, P. (2012) 'The Payment of Kickbacks—A Norm in Russia's Arms Trade'. *Eurasia Daily Monitor*, 9(210).
[202] France 24 (2012) Iraq cancels $4.2bn Russian arms deal over 'corruption'. *France24.* Available from: http://www.france24.com/en/20121110-iraq-multibillion-dollar-arms-deal-russia-corruption-concerns (Date accessed 10th August 2017).
[203] Phelan, J. (2012) Iraq to go ahead with billion-dollar Russian arms deal, defence minister says (UPDATE). *GlobalPost.* Available from: https://www.pri.org/stories/2012-11-10/iraq-go-ahead-billion-dollar-russian-arms-deal-defense-minister-says-update (Date accessed 10th August 2017).

"Today, I'm proud to welcome Prime Minister Maliki -- the elected leader of a sovereign, self-reliant and democratic Iraq… Iraq faces great challenges, but today reflects the impressive progress that Iraqis have made. Millions have cast their ballots -- some risking or giving their lives -- to vote in free elections. The Prime Minister leads Iraq's most inclusive government yet. Iraqis are working to build institutions that are efficient and independent and transparent. Economically, Iraqis continue to invest in their infrastructure and development….And, Mr. Prime Minister, that's a tribute to your leadership and to the skill and the sacrifices of Iraqi forces." [204]

History seemed to repeat itself, similar to how the watchful eye of Zalmay Khalilzad, Paul Bremer and the rest of the US officials watched over Iraq's problems and did not act in both the constitution making process and how the decisions they took in Iraq unfolded. Obama who is unquestionably well-informed, chose to expressly overlook the reality of the undemocratic and corrupt government of Maliki. A nation state that has great intelligence in foreign political affairs, knew exactly how corrupt the Maliki government had been. The year Obama gave the above-mentioned speech was the very year when Judge Ugaili who was anti-corruption was forced to resign. The same year, Maliki lost a democratic election for parliamentary seats and refused to give up his seat, this was also the same very same year that proceeded many years of corruption and abuse of security services for political gains by Maliki. In fact 2011 was the same year that half of Iraq's 18 provinces wanted to break-away from Baghdad's central government rule, which has been criticised for neglect and mismanagement of public services.[205] This is not surprising considering what this chapter illustrated so far, with corruption and under qualification having a huge impact. In 2017, even despite its semi-autonomous region, the KRI wants to hold a referendum to declare full independence of Iraq and absolute nationhood after years of disagreements and failed dialogue with Baghdad.[206] Even despite the western powers of the US, UK and France denouncing and condemning the idea, the president of the KRI, Masoud Barzani, is still adamant to go ahead.[207] Again this is another big indication of the failed state in terms of democracy, co-operation, and an effective constitution as the federal system introduced by the US has failed.

NGO studies and data

[204] Obama, B (2011) Remarks by President Obama and Prime Minister al-Maliki of Iraq in a Joint Press Conference December 11th 2011. *The White House Washington* Available from: https://obamawhitehouse.archives.gov/the-press-office/2011/12/12/remarks-president-obama-and-prime-minister-al-maliki-iraq-joint-press-co (Date accessed 10th August 2017).
[205] Carlstrom, G. (2011) The breakup: More Iraqis bid for autonomy. *Aljazeera.* Available from: *http://www.aljazeera.com/indepth/features/2011/12/201112161177518162.html* (Date accessed 10th August 2017).
[206] Solomen, E. (2017) Iraqi Kurds defy western pressure with vote for referendum. *Financial Times.* Available from: https://www.ft.com/content/d6362a34-9a16-11e7-b83c-9588e51488a0 (Date accessed 30th September 2017).
[207] BBC News (2017) Kurdish MPs say yes to independence referendum. *BBC news.* Available from: http://www.bbc.co.uk/news/world-middle-east-41279682 (Date accessed 10th August 2017).

In terms of corruption, *Transparency International* has held Iraq in the bottom most corrupt countries since 2005 and recently out of 176 countries, 2016 witnessed a year where it was the 166th most corrupt country.[208] Corruption was the agenda of the Prime Minister; Haider al-Abadi who replaced Nouri Maliki,[209] and till 2017 is still pledging to fight corruption.[210] Similar to the KRI, CGI are breaking many human rights laws and failing to uphold the clauses in the constitution for freedom of expression and assembly in protest. *Amnesty International* has recorded abuses in human rights and other rights by the government for over a decade from 2003-2013.[211] Since 2011, peaceful protests which are constitutional rights have been continuously blocked by the Iraqi government,[212] and where protests have rebelliously gone ahead, they have resulted in the killings of protestors.[213] The Iraqi government seems to also be attacking journalists through secret militias and secret assassinations, with *Amnesty International* making a note and pleading with the CGI to protect journalists and to investigate the killings in 2014.[214] In its 2015 report, Amnesty International submitted its findings to the UN Human Rights Committee, reporting on the on-going issues of 'arbitrary arrests and detentions, enforced disappearances, torture and other cruel, inhuman or degrading treatment or punishment (other ill-treatment), abuses within the administration of justice, freedom of expression and peaceful assembly.'[215]

The United Nations Human Rights Office of the High Commission's Human Rights Reports on Iraq produced at least two reports each and every year from July 1, 2005 until June 30, 2014, totalling 21 reports with some over 40 pages long.[216] UN Assistance Mission for Iraq (UNAMI) is authorised under

[208] Transparency international (2016) Corruptions perceptions index 2016. *Transparency International* Available from: https://www.transparency.org/news/feature/corruption_perceptions_index_2016 (Date accessed 10th August 2017) and The Economist (2017) Almost everybody is against a Kurdish referendum. For once, America and Iran agree *The Economist.* Available from: https://www.economist.com/news/briefing/21728899-once-america-and-iran-agree-almost-everybody-against-kurdish-referendum (Date accessed 30 October 2017) and Rudaw (2017) White House demands KRG to 'call off' Kurdistan independence referendum. *Rudaw.* Available from: http://www.rudaw.net/english/kurdistan/150920174 (Date accessed 30th October 2017).

[209] BBC News (2015) Iraqi PM Haider al-Abadi moves to tackle corruption. *BBC News.* Available from: http://www.bbc.co.uk/news/world-middle-east-33840067 (Date accessed 10th August 2017).

[210] Aldroubi, M. (2017) Iraq's prime minister vows to fight corruption. *The National.* Available from: https://www.thenational.ae/world/mena/iraq-s-prime-minister-vows-to-fight-corruption-1.620776 (Date accessed 30th October 2017).

[211] Amnesty International (2013) Iraq: A decade of abuses. *Amnesty International*. Available from: https://www.amnesty.org/en/documents/mde14/001/2013/en/ (Date accessed 30th October 2017).

[212] Amnesty International (2013) Iraqi authorities must not block peaceful protests. *Amnesty International*. Available from: https://www.amnesty.org/en/latest/news/2013/08/iraqi-authorities-must-not-block-peaceful-protests/ (Date accessed 10th August 2016) and Amnesty International (2013) Iraq: Investigation needed as troops shoot anti-government protesters. *Amnesty International*. Available from: https://www.amnesty.org/en/latest/news/2013/01/iraq-investigation-needed-as-troops-shoot-anti-government-protesters/ (Date accessed 10th August 2017).

[213] Amnesty International (2013) Iraq: Rein in security forces following the killings of dozens at protest in al-hawija. *Amnesty International*. Available from: https://www.amnesty.org/en/documents/mde14/006/2013/en/ (Date accessed 10th August 2017).

[214] Amnesty International (2011) Outspoken Iraqi radio journalist shot dead at home. *Amnesty International.* Available from: https://www.amnesty.org/en/latest/news/2011/09/outspoken-iraqi-radio-journalist-shot-dead-home/ (Date accessed 10th August 2017) and Amnesty International (2014) Iraq must protect journalists. *Amnesty International* Available from: https://www.amnesty.org/en/documents/mde14/003/2014/en/ (Date accessed 10th August 2017).

[215] Amnesty International (2015) Iraq: Amnesty international's submission to the UN human rights committee, 115th session. *Amnesty International.* Available from: https://www.amnesty.org/en/documents/mde14/2528/2015/en/ (Date accessed 10th August 2017).

[216] Human Rights Report 1 July – 31 August 2005, Human Rights Report 1 September – 31 October 2005, Human Rights Report 1 November– 31 December 2005, Human Rights Report 1 January– 28 February 2006, Human Rights Report 1 March– 30 April 2006, Human Rights Report 1 May – 30 June 2006, Human Rights Report 1 July – 31 August 2006, Human Rights Report 1 September - 31 October 2006, Human Rights Report 1 November - 31 December 2006, Human Rights Report 1 January – 31 March 2007, Human Rights Report 1 April – 30 June 2007, Human Rights Report 1 July – 31 December 2007, Human Rights Report, 1 January – 30 June 2008, Human Rights Report,1 July – 31 December 2008, Human Rights Report, 1 January – 30 June 2009, Human Rights Report, 1 July -

UN Security Council resolution 1546, paragraph 7 (b) (iii), which effectively mandates UNAMI *"to promote the protection of human rights, national reconciliation, and judicial and legal reform in order to strengthen the rule of law in Iraq."* In the reports, over the 9 year coverage period, the common, frequent and unresolved theme was that there was a lack of protection for civilian rights as per the constitution for civil, cultural, political and social rights.[217] The most grievous and unsettling factors were to do with the fact that extra judicial decisions were reported every year, where individuals were found buried, with clear signs of torture, blindfolding, handcuffs, with death by electrocution, without access to judicial review, with links to orders from different ministries in Iraq.[218] Similar to the KRI, it seems that the constitutional rights of expression, press freedom and assembly in demonstrations were consistently violated over the course of the 9 years.[219] The reports on the democracy of Iraq and the political process by credible NGO's had diminished since ISIS took over Mosul in 2014, where most of the reports by the major NGO's mentioned directly above have focused on repercussions of ISIS's role in Iraq.

Conclusion

With regards to the CGI, on almost every level I have provided evidence on how the constitution has failed; its ambiguity has been abused and its lack of provisions and sectarian divisions manipulated. The democracy in Iraq is similar to the rest of what Iraq went through post the 2003 war, severe neglect, extreme overlooking and numerous cases of omissions to effectively assist by those who decided to invade, occupy and eventually leave. The system where the CGI is not only unconstitutional, undemocratic and extremely flawed in procedure, its failure is inevitable. Its failure was a destiny that was sparked and provoked by the constitution of 2005.

The poorly written document, that was rushed, divisive and illegal as the chapter on the making of the constitution illustrated, witnessed the same theme in the democracy it gave birth to, in which this chapter examined 12 years of its existence in practise. The political system of Iraq, which was decided based on sect, witnessed something that is consistent in US and even British imperial history, the

31 December 2009, Human Rights Report, 1 January - 31 December 2010, Human Rights Report, 1 January - 31 December 2011, Human Rights Report, 1 July - 31 December 2012, Human Rights Report, 1 July - 31 December 2013, Human Rights Report, 1 January – 30 June 2014 at Reports Prepared by UNAMI Human Rights Office at: http://www.ohchr.org/EN/Countries/MENARegion/Pages/UNAMIHRReports.aspx (Date accessed 10th August 2017).

[217] Ibid.

[218] Ibid.

[219] Ibid.

phenomenon of 'divide and conquer' (see introduction). The sect-based system that decided positions based on sect and ethnicity meant that uneducated, unqualified and prone to be corrupt individuals took key posts that decided the fate of millions of Iraqis.

Elite theory and the Iraqi elites that the US supported

Please see Figure 6.1 below.

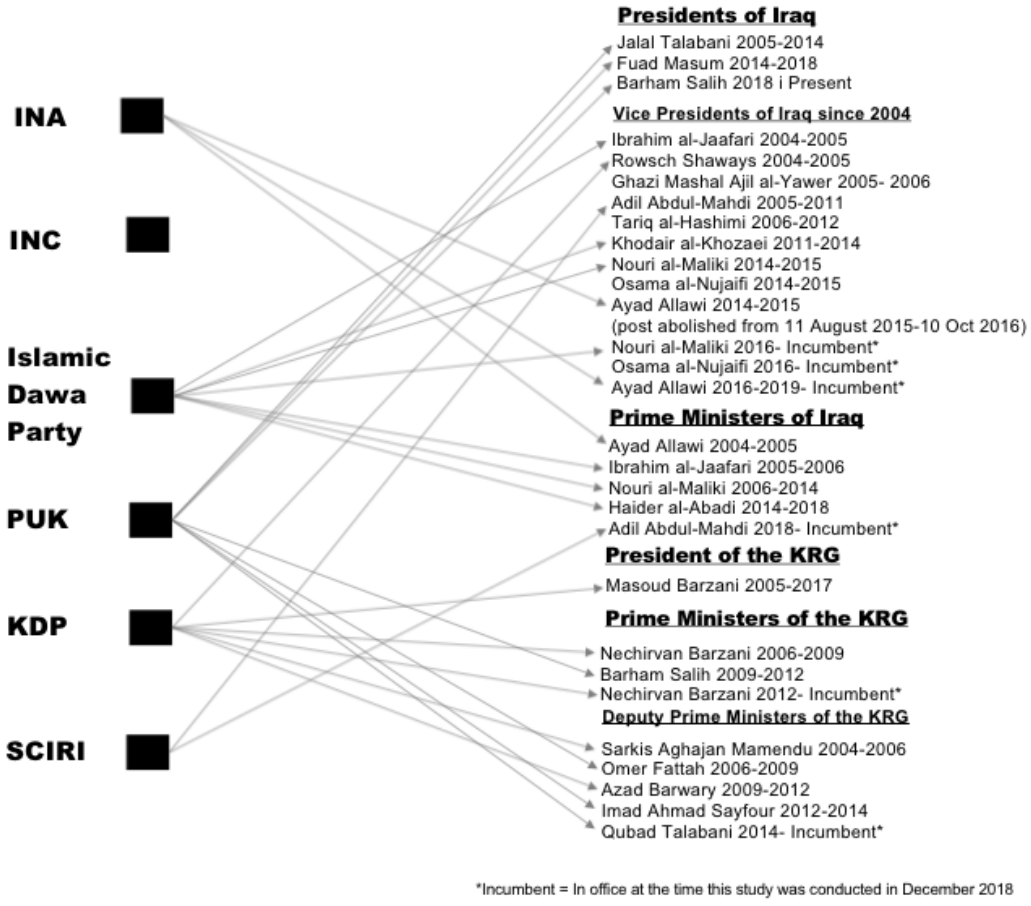

Figure 6.1 Pathways of Iraqi elites that the US had worked with before the 2003 War and Occupation into main positions of authority in Iraq: the Presidency, Vice-Presidency and Prime Ministerial role in Iraq and the Presidency, Prime Ministerial and Deputy-Prime Ministerial roles in the KRG. Note regarding pathways of Iraqi elites: *Figure 6.1* illustrates how the Islamic Dawa Party, PUK, KDP, and INA political parties from the original US backed exile groups have dominated Iraqi politics for the last 15 years. In 27 positions of President, Vice-President and Prime Minister of Iraq alongside President, Prime Minister and Deputy Prime Minister of the Kurdish Regional Government, 23 of the mentioned posts went to the parties of the original groups that the US had worked with before the

2003 War: the Islamic Dawa Party, PUK, KDP, and INA, only 4 positions went to alternative parties. In affirming the relevance of elite theory, *figure 6.1* (above) demonstrates how Iraqi politics has been dominated by a minority Iraqi elite, with roots that can be traced directly back to the time of the War and Occupation in 2003. From the six original opposition groups and leaders that the US worked with and supported before the occupation (see Chapter 4), and then later became the Iraqi Leadership Council (ILC), three specific parties benefitted from and directly contributed to the political issues that have been mentioned in this chapter; these are the Islamic Dawa Party, the PUK and the KDP.

Iraqi Elite Connections, agreements and disagreements.

Due to a lack of transparency, a lack of infrastructure and an oil-based economy, connections between Iraqi elites and the private sector corporations are limited. The private sector faces restrictive regulations, lacks adequate access to finance and skilled labour. Alongside this, most non-oil based private corporations have been dominated by state-owned enterprises.[220] The Iraqi elites have internal disagreements with each other regarding individual sectarian, ethnic or group rights, but are unified on sharing the domination of Iraq's population through individual group rights. This is achieved through unity in government formation through patronage politics between Iraq's elites.

Government formation and Patronage Politics

Sanctified by Iraq's 2005 constitution, sectarian politics metamorphized into a sectarian-based patronage system that regulates and holds public sector positions and resources as a key source of the patronage system.[221] In three separate parliamentary elections since 2003, the winning individual has not become Prime Minister; in 2005, Ibrahim al-Jaafari won as the leader of the United Iraqi Alliance coalition, yet was overruled by fellow Islamic Dawa party member Nouri al-Maliki who was a compromise candidate after negotiations over government formation broke down.[222] In the 2010 elections, Ayad Allawi, head of the al-Iraqiya list coalition, won the elections narrowly by two votes, but could not form a government which led to the re-election of Maliki.[223] Maliki, as the head of the State of Law coalition won the 2014 elections, yet due to disagreements over government formation and the fight against ISIS, was replaced by Abadi.[224]

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[220] Idris, I (2018) Inclusive and sustained growth in Iraq. K4D Helpdesk Report 355. Brighton, *UK, Institute of Development Studies*. Available from: https://assets.publishing.service.gov.uk/media/5b6d747440f0b640b095e76f/Inclusive_and_sustained_growth_in_Iraq.pdf (Date Accessed 15th January 2019).
[221] Yahya, M. (2017) The summer of our discontents: Sects and Citizens in Lebanon and Iraq. *Carnegie Middle East Centre*. Available from: https://carnegie-mec.org/2017/06/30/summer-of-our-discontent-sects-and-citizens-in-lebanon-and-iraq-pub-71396 (Date Accessed 15th January 2019).
[222] Mansour, R. (2018) Rebuilding the Iraqi State: Stabilization, Governance and Reconciliation. European Parliament, *Directorate General for External Policies*. Available from: http://www.europarl.europa.eu/RegData/etudes/STUD/2017/603859/EXPO_STU(2017)603859_EN.pdf (Date Accessed 15th January 2019), p.15.
[223] Ibid.
[224] Ibid.

The lengthy government formation process is dependent on the division of key state institutions based on ethno-sectarian identities, to achieve this political parties form blocs with and against each other to achieve their goals. Although Iraqi elites are divided based on ethnicity, sect, and religion, the communal distribution of resources through assigning Iraq's public institutions and ministries creates a unity between elites based on a share of the national resources of Iraq.[225] Ministerial fiefdoms where political parties are given ministries in exchange for support has created a dysfunctional government because there is a lack of clear governmental strategy, which in turn severely impedes development. As mentioned previously in this study, a patronage system creates implications where there is a lack of qualified staff in positions of development, and skilled workers who are non-partisan are prevented from contributing.[226]

Minority Iraqi elite who are unified on ruling despite ethno-sectarian and religious divide

Despite being divided heavily based on sect, ethnicity and religion, the Iraqi elites are in agreement over sharing the domination of Iraq's resources through its ministries that are distributed based on political allegiances post-elections to form government. The mechanics of this power-sharing system is illustrated by coalitions of oligarchs who hold influence through their use of state institutions for the process of distributing favours to clients.[227] The sect-based government has witnessed numerous political parties auction government procurement contracts or set up shell companies and award contracts to themselves, which in turn become either sub-contracted or never fulfilled, with funds being siphoned by beneficiaries.[228] This has enabled huge reconstruction funds to benefit a minority Iraqi elite, who although divided, are unified on the pursuit of domination and control of Iraq through its resources.[229] These elites dominate Iraq through the control of the public sector which is heavily inflated with salaries that amount to 80% of some ministries budgets.[230]

The elites maintain dominance in this system based on two important factors, despite growing calls for reform based on corruption, inequality and marginalisation. Firstly, in acknowledging that elites are deeply invested in maintaining the status quo, it needs to also be acknowledged that major politicians and their appointees are viewed representatives of the communities they embody. This helps to maintain elite dominance as any investigations against poor performance of elites is often perceived as

[225] Ibid.
[226] Paasche, E. (2016) The role of corruption in reintegration: experiences of Iraqi Kurds upon return from Europe. *Journal of Ethnic and Migration Studies* 42(7). 1076-1093.
[227] Yahya, M. (2017).
[228] Atlantic Council (2016) Report of the Task Force on the future of Iraq: Achieving Long-Term Stability to Ensure the Defeat of ISIL. *The Atlantic Council of the United States.* Available from: https://www.atlanticcouncil.org/images/publications/Future_of_Iraq_Task_Force_0531_web.pdf (Date Accessed 15th January 2019).
[229] Haddad, F. (2017) As the War Winds Down, What Next for Iraq. Middle East Insights No.170. *Middle East Institute.* Available from: https://mei.nus.edu.sg/publication/insight-170-developments-in-the-middle-east-insight-series-as-the-war-winds-down-what-next-for-iraq/ (Date Accessed 15th January 2019).
[230] Ibid.

a form of attack against the sect or ethnicity that is being represented.[231] Secondly, as mentioned throughout this chapter, protests and popular movements that have challenged elite dominance or questioned the government have been violently repressed. Since 2014, the presence of Turkey and Iran have increased as Shiites in Iraq have become dependent on the Iranian Popular Mobilization Forces (PMF) to maintain order in Iraq. This signifies that elites will do everything possible to maintain power, something that has been consistent with the actions of the elites mentioned in this chapter.

The period in question (2005-2017) witnessed that Masoud Barzani of the KDP was the President of the KRI and Jalal Talabani of the PUK was the President of Iraq. Although Talabani fell ill and was replaced by Fouad Masum in 2014, Masum was a senior member of the PUK (as was Barham Salih who became the President of Iraq in 2018). Talabani and Barzani were from the Iraqi elite political parties that the US backed and supported after working with them previous to the war. It was the PUK and the KDP that were the majority ruling parties that govern and effectively control the KRI. In the turmoil and corruption, whilst the majority of the KRI is discontent and struggling, the elites of the PUK and KDP remain fortified and continue to govern through a system known as 'wasta', which involves doing serving those you favour and hold close (for example friends and family). Elite theory explained decision making specifically present in the KRI as President Barzani made his nephew Nechirvan Barzani the Prime Minister of the KRI.

Similarly, our original Iraqi elite; Ibrahiim al-Jaafari of the Islamic Dawa Party which the US supported prior to the occupation (as discussed in Chapter 4), was replaced by Nouri al-Maliki who became the Prime Minister of Iraq. Under the leadership of Maliki, Talabani and Barzani who were the authoritative figures, culpability regarding their tyranny, corruption and dictatorship can be traced back to the US and the initial period of the occupation, as it was under their support that their parties grew. Had the US not supported these opposition parties, one could argue that they would not have been at an early advantage. The fact is that the Iraqi elites heavily influenced the constitution making process and then ruled under its guidance. This is yet another example of a direct conflict of interest, unsurprisingly this took place under the watchful eye of the US as this study has illustrated.

One of the major contributions of this thesis was to give evidence that the US is elitist and therefore undemocratic as decisions are not representative of the populace, instead they represent a minority elite. This chapter has illustrated how under Talabani, Barzani and Maliki the will of a minority elite is supreme over the rest of the Iraqi populace as those who question or expose the corruption of the two ruling parties in the KRI face violation of their constitutional rights, violations of their human rights, and in many cases murder. Individuals who picked up posts in a nepotistic climate, negatively aided

[231] Yahya, M. (2017).

the already difficult situation in Iraq. Instead of improving it, poor decisions affecting public services, along with marginalisation of Sunnis for over 11 years since 2003, eventually led to ISIS. As mentioned, the fact that everything mentioned above was able to take place with little or minimal accountability spells great danger for Iraq's future, with deliberation needed regarding the reproduction of the constitution.

The federal system and the ambiguity of regional powers in line with the CGI has caused an unaccountable, ruthless and manipulative political class of two majority ruling parties in the Kurdish region. Under Maliki, Barzani and Talabani, both the KRI and CGI block and attempt to manipulate and regulate political opposition, again, against the principles of democracy. The fact that on the 25th of September of 2017, the KRI, after 14 failed years of dialogue since 2003, held a referendum for nationhood through independence from Iraq permanently, indicates the failure of the federal system. The 'Iraq Spring' protests illustrate how the urban population and particularly the youth are alienated from the governing elite.[232]

The prevalence of assumed unity through sect participation has caused a paralysis in development within Iraqi politics, as politicians do not compete to advance the nation, instead they are engaged in sectarian warfare, which the nation has observed and embraced, to the point where Taxis that are from Sunni areas of Baghdad do not take jobs to Shiite areas and vice versa. Freedom of speech, for the civilian population and journalists is non-existent, and those who object are targeted and often killed, as the same goes for protesting as mentioned.

All in all, the democracy in Iraq is one that is only in theory, even then when one examines the constitution, the theoretical side of how the nation is to be run can also be questioned. Therefore, if the US did wish to bring a democracy to Iraq that upheld constitutional rights of all in a system of equality, then they have ultimately failed. Provisions of accountability need to be brought in, and a huge amount of work is needed if Iraq is to have a functioning, stable and productive role internally for its citizens, and the world.

If democracy was the aim, then this chapter has provided evidence to show that the US has failed. What this chapter has given evidence to, is that the actual basis for the intervention (bringing democracy to Iraq in a system that would protect the rights of all Iraqis) was not prioritised, and consequently failed. Therefore, the reason to invade was a fabrication and the promises made were not delivered, leaving a failed democracy in Iraq. To conclude fully, in the Iraq occupation democracy

[232] Dodge, T. (2012) *Iraq: From war to a new authoritarianism.* Routledge, p.207.

promotion was the broadcast intention of the US and used as a cover to legitimise the occupation by elites who were serving their own narrow financial interests (Chapter 5).

Chapter 7: Conclusion

This thesis examined whether the 2003 Iraq War and occupation was a case of US elite decision-makers using democracy promotion as a cover to legitimise an occupation which they used to serve their own interests. The intentions of US elite decision-makers in Iraq was established by assessing their decision-making on the ground. This study gave evidence to how US elites used democracy promotion as a cover to legitimise the occupation of Iraq, while the main aim of the occupation was to serve their own interests. By US elites serving their own interests, I conducted a study of the Bush elite which established that elites have imperial corporate goals, with embedded corporate mentalities and that they use US foreign policy to achieve those goals. Elite theory explains that US foreign policy is dominated by a wealthy and exclusive elite. This develops into US foreign policy being heavily influenced by corporation interests, which aims for more profit through wider transnational presence and dominance.

The US had initially intended that a pre-selected diverse group of Iraqi elites re-write Iraq's constitution and be given the power to govern Iraq. However, once the Iraqi populace became aware of the US privatisation agenda and its undemocratic decision-making in selecting Iraqi elites as opposed to free elections, a resistance formed which coerced US elites rethink their decision-making. This re-think by US elites regarding the way the constitution was to be written took place, but this did not prevent the original US-backed Iraqi elites from having the final say on Iraq's constitution or from dominating Iraq's political system for the next fourteen years. In this process the US corporations linked to US elite decision-makers directly benefitted financially from the occupation, whilst the Iraqi people were left to a detriment in an elitist democracy where the needs of ordinary Iraqis are overlooked by a minority US backed Iraqi elite. The democratisation of Iraq was not prioritised, and democracy consequently failed. Therefore, the broadcast intentions to invade was a fabrication and the promises made were not delivered, leaving a failed democracy in Iraq.

I used elite theory to establish whether the backgrounds of those who made decisions in Iraq affected not only their pathway to their decision-making position, but also more importantly, their decision-making processes. An important question I raised was whether there was a self-serving elite that dominated US foreign policy regarding Iraq and if so, who were they? How did their backgrounds affect their decision-making process? I stated at the beginning that based on studying the decision makers, I would set expectations regarding how they would operate on the ground in Iraq, and then I would examine what they actually did on the ground in Iraq. I wanted to examine whether elites had common interests in Iraq. I asked what the existence of an elite

meant for democracy in the US, and Democracy Promotion in Iraq. The most significant question I asked was whether the decision makers regarding the Iraq war directly benefitted financially from the war. If so, I asked if US foreign policy is corporate foreign policy? I stated that I would examine the portrayed intentions and realities that occurred and were broadcast to the world by the US. I aimed to establish whether the promises made by the US were completely different to the actual reality that occurred on the ground in Iraq.

After a thorough examination of the empirical evidence regarding the actualities that took place in Iraq, this study concludes that the 2003 Iraq War and occupation was a case where the US elite decision-makers used democracy promotion as a cover to legitimise the occupation whilst they served their own interests. I will briefly re-cap on the already mentioned substance behind this conclusion from this study, before summarising the key arguments from the chapters of this study, where I will recap on the process that was used to reach my conclusion.

The US left a legacy of failed democracy in Iraq. This began with undemocratic means being used by the US from the beginning of the occupation, with a rushed, poorly written, divisive and problematic constitution that has failed to unify Iraq. The Constitution of 2005 failed to serve the Iraqi people the rights promised to them, rendering the promise of democracy and freedom by the US a failure.

Instead what seemed to be more meticulous in its planning, and clearly had more attention given to it, was the use of the constitution as a distraction to the Iraqis, their selected Iraqi Governing Council (IGC) and the world. The distraction aimed to pre-occupy the Iraqis, whilst an attempt at transforming Iraq's social system into a privatised, free-market economy took place. In the process of attempting to transform Iraq, the occupiers (the CPA and therefore the US) handed out billions of dollars in contracts to predominantly US corporations. The intentions of the US were signified in the decisions the US took, and who they specifically benefitted. Decisions of the US in Iraq benefitted US decision-makers more than it did Iraqis. I demonstrated that the corporations that received contracts were linked to my selected decision-makers, some of which had actively sold the war.

US Main objective failed?

However, the downside was the failure of the main objective to privatise and recreate Iraq in matching the US's aims of creating a free-market flourishing democracy. The insurgency that began with Iraqis protesting angrily at the selection (as opposed to democratic election) of the IGC in 2003, and later became 'Islamic State of Iraq and al-Sham' (ISIS), made Iraq become one of

the most dangerous places on earth and therefore unprofitable, resulting in the majority of the firms who entered Iraq, eventually deciding to leave. In this study, I demonstrated how the US underestimation and orientalist assumptions ultimately polluted US perception of the reality in which they were facing. The US underestimation of Iraqis created decisions based on the assumption that their distractions would enable them to prevail.

Iraq the pioneer of a new market

I also displayed how Iraq was a success for the US in one particular regard, as it was the pioneer in establishing the newest market that is flourishing in the Middle-East today. This market is one where the aftermath of war, destruction, and chaos is more profitable than democracy promotion and the spread of free-market capitalism. On this token, based on the evidence it is clear that US actions in Iraq were that of a self-serving US elite which failed on its main goal of privatising Iraq, but succeeded in finding out the true extent of how profitable war and chaos can be. Iraq personified, the more bombs, the more chaos, then the more profit. My study also gives significance to the question of why the Arab spring and the aftermath of heavy bombing (which is ongoing till today in March 2018) took place after the Iraq War? Perhaps a study is needed on how the profits made from Iraq inspired decision makers to take advantage of the shock doctrine tactics, in creating a problem and then also providing its solution.

I will now recap on the processes that this study illustrated, in re-vising the main findings, significant points and outcomes of each chapter in the order that the chapters were structured. I will start with chapter 3, regarding the Bush administration's Iraq decision-makers.

The Elitist Bush administration (Chapter three)

In chapter three, I examined how where you grow up, who you are and how you think has an enormous impact on everything you say and do. This chapter analysed the elite decision makers of the Iraq War. I investigated who they were, where they were from, what they studied, what their influences were, and how this impacted how they thought and acted. This chapter showed how the 43rd President of the United States clearly was influenced by his strong faith-based life and background, evident in his speech, policies and views. More importantly this chapter showed how where you are from and what you are exposed to influences who you are and what you believe. The faith of Bush and the history of where he was from, and the utilization of this by Rove and the similar levels of faith by Rice, created a strong cabinet that held similar faith values. The stronghold of the deep south being a place for Israeli support, and the fact Bush was influenced by this was also evident in an administration where neoconservatives of the Jewish faith, were

also present. The impact of religious fundamentalist influence was present in the way the orientalist rhetoric of 'good v evil' was demonstrated, more importantly indicating how the east is seen by the west, which is a crucial source of influence when the US makes decisions in times of war. The orientalist 'good v evil' rhetoric was so strong that it had to be examined further to identify to what extent it was reflected in decision-making. I established that the 'good v evil' narrative and ideology could absolutely justify anything and everything in times of war, and therefore studying decision-making in the empirical chapters was crucial.

The chapter illustrated, that our selected elite decision-makers had a great deal in common, and their backgrounds as a collective indicated some interesting factors. To summarize, the majority of the decision-makers were from Ivy League (elite) universities (18 out of 35), part of think tanks (21 out of 35) and held previous senior positions at corporations or were associated (18 out of 35). In terms of the education of our selected elites, the majority were from elite institutions, this clearly influenced their ideologies and world views. I highlighted specifically how there were 11 members of the Council on Foreign Relations (CFR), and 7 members of Project for New American Century in the Bush elite, displaying a strong presence of global leadership ideology dating back to the early 1900's. I also highlighted the fact that our decision makers were associated to corporations meaning that they held a corporate mind-set, as senior positions would clearly affect world-views and decisions, which I illustrated in the world-views section. The world-views of the selected 35 elite decision makers were interesting, however, not surprising. The existence of neo-conservative ideology, and the history behind the creation and spread of the ideology clearly proved to be significant. I highlighted and demonstrated the process of how think-tanks produce and then spread ideologies, and how they then become part of US foreign policy.

The US foreign policy was made by unrepresentative elites

Regarding decision making, I demonstrated how foreign policy is made by unrepresentative elites behind closed doors. US foreign policy is not representative of the US populace, instead corporations assert their will through numerous channels to influence decision-makers. Although policies can take years to manifest from the initial stages of being an idea, the consistency of the elites in asserting their agendas enables the ideas to turn into foreign policy. I gave evidence to this by demonstrating how the DPG eventually became the Bush doctrine. US foreign policy therefore represents the corporate elite, however this brings implications, as mentioned already.

The US is not supposed to be elitist

After analysing the Bush elite and their world views, I established that the existence of an exclusive elite gave evidence to the US not being democratic. In being less than democratic, the US was consequently representative of a minority elite, and therefore not representative of the populace. The fact remains that the biggest exporter of democracy is not supposed to be elitist, the US is expected to be a functioning, and representative democracy. This enabled me to set expectations in where I could further examine US decision-making, to establish what actions and decisions the US takes in a foreign nation in the name of democracy promotion.

The expectations that I set

I made it clear that the broadcast intention of the US in Iraq was to bring democracy and freedom, in a system that protected the rights of all Iraqis to Iraq. This is what the US said they would do, by their own admission. Therefore, as per the stated aims of my study, based on the conclusions of my elite study, I set expectations of what I believed the Bush elite would do in Iraq.

I set the expectation that the US would promote a free-market democracy in Iraq. I expected the market to be free, yet decisions would be made democratically in terms of the election of the government, through free and fair elections. I set the expectation that the US would transform Iraq's socialist economy through privatization policies. I set the expectation that Iraq's political and economic future would be mapped out and outlined in the new constitution and influenced by other key decisions that the US took on the ground.

I demonstrated that given Iraq's history of socialism, the resistant culture of Iraqis, and general anti-US values in the Middle-East, such transitions from socialism to capitalism and privatization would not be easy. Based on the extreme level of Orientalism in the discourse used by the elites, I set the expectation that the US would use excessive and potentially disproportionate force to achieve their intended outcomes. I stated that the use of the orientalist rhetoric, indicated that the US would justify potentially unjustifiable actions going forward. I demonstrated that such strong usage of the 'good v evil' rhetoric insinuated a war that had to be won at all costs. I also demonstrated that this could mean the US would act undemocratically, unconstitutionally and illegally to achieve its needs. However, I predicted that the US will serve the interests of the corporate elite, by any means necessary. The final part of my expectations held that the Bush elite were not capable of delivering their promises of democracy and freedom. Contrastingly I predicted that an alternate agenda would be uncovered. This agenda of a self-serving US elite

would be inconsistent with the broadcast promises and intentions of democracy promotion and freedom made by the US.

Constitution Making (Chapter four)

I made it clear from the outset of this chapter that re-writing the constitution and implementing the Temporary Administrative Law (TAL) was in clear violation of international law as directed by UNSCR 1483. To bring more substance regarding the nature of US power, I argued that further investigations were needed to examine the actions of the US further. This was based on two reasons; firstly, the international law was seen as ambiguous by some scholars. Secondly, there was always the chance that the ends could justify the means, and although UNSCR had been violated, the positive effect of the violation could have potentially served the purpose of the UNSCR. I concluded that this was not the case here. The purpose of the UNSCR was compromised.

In terms of this constitution and its two-stage process, I illustrated that the way processes were conducted and allowed to be conducted by the CPA spoke volumes for the intentions of the occupiers**.** I examined how the US had pre-selected a diverse group of Iraqi elites, intending that these Iraqi elites re-write Iraq's constitution and be handed power to govern Iraq. Despite an insurgency that caused the US to re-think its decision-making, this did not prevent the original US-backed Iraqi elites from having the final say on Iraq's constitution. Therefore, Iraq's constitution did not represent the will of Iraq's majority population but instead an elite minority who were previously backed by the US. A key legacy of the US intervention was the domination of Iraq's political system by Iraqi elites that the US had worked with before the war. These Iraqi elites are divided based on sect, ethnicity and religion, but united in dominating Iraq through sharing key ministerial positions that control budgets from its natural resources. As US elite decision-makers benefitted directly from the war and occupation, great detriment was bought to Iraqis who were left with a new authoritarianism.

I established reasons why the constitution was rushed, why topics such as territory and regional sovereignty were dominant in the negotiations, as opposed to ways for a unified Iraq to proceed. I identified how an oil company interest holder was allowed to sit on the drafting panel of the constitution. I established how the constitution making process was illustrative of an un-organized and poorly planned initiative, which later became one of the foundations for the chaos in Iraq.

I displayed that in terms of time, the US had dedicated and sacrificed a great deal of money and manpower into the invasion. Along with the controversial elements of the reason to invade, a situation was created where the US had to quickly provide some positive and progressive reports

on its 'self-proclaimed' success in Iraq. As each day went on after Saddam was ousted, the situation in Iraq deteriorated. One of the most detrimental outcomes of the constitution making process in Iraq, was the insurgency of Sunni Arabs who never had their status in the future of Iraq acknowledged, provisioned or guaranteed and instead lost interest in the idea of a unified nation that it once was. This Sunni group eventually gave birth to ISIS and its processes were geared off unity and inclusion by a generation that has caused bloodshed and mass chaos in the name of its goals.

I provided evidence explaining that the best way for the privatization to take place in Iraq is if the parties and sects are divided. In order for this to occur, I demonstrated that they need to be reminded of their differences, because a unified Iraq would not willingly change its system of socialism, in which it has thrived in for centuries. I covered how the mobilization of content in the constitution by the US, took the focus away from what was really taking place, the short and long-term domination of Iraq by US elite decision-makers. This was examined in the proceeding chapter (Chapter 5) and will be summarised shortly. Sectarianism forced every sect to fight for its own interests, with each party pulling its own unique last-minute stunt or request, whilst in the meantime they missed a big Article that defined the purpose of the war: 'Article 24'. Article 24 was regarding privatisation, where the state was to guarantee the reform of the economy in accordance with modern economic principles, to insure the full investment of its resources, diversification of its sources and the encouragement and development of the private sector. This was another ambiguous clause, amongst the many ambiguous clauses covered. However, Article 24 was significant in personifying what the true intentions of the US were behind the imposed constitution making process. The sectarian divisions made it almost imperceptible to see what was actually happening in Iraq at the time; the pillaging of Iraqi money by the CPA and the contracts that were awarded which shattered the Iraqi economy. It was assumed by the US that these actions, along with de-Ba-athification and high unemployment would create an embraced transition to capitalism. I will now summarise how the primary US aim failed in Iraq. However, it should be noted that all was not lost, as other gains were made by the US.

Decisions to privatise Iraq's economy, Shock therapy, failures and successes (Chapter five)

I established that international law had been violated by CPA Orders 1, 2, 39 and 46. However, I decided to investigate the violations further to see if the overall purpose of the UNSCR had been met as a result of the violations. Unfortunately, the case was that the empirical evidence gave further substance to justify the fact that US elite decision-makers used the Iraq occupation to serve their own interests over that of the Iraqi people.

I had made it clear from the outset of this thesis, that the US had many different plans for the Iraq War, and were able to allow their interests to prevail regardless of the reactions that occurred from the Iraqi people. The main intention was to create a fully privatised state, open to mass privatisation in a free-market democracy. The process for this was started with the division of Iraq through sectarianism, and the distraction of the constitution. It was assumed by the US that both making the constitution and sectarianism, were enough to distract the Iraqis, so that the US could serve its own interests.

I gave evidence to how the Iraqi populace on the ground were exposed to shock therapy initially through the bombing. This was followed by unemployment, famine, lack of security, chaos and destitution in Iraq. It was assumed that Iraqis would be shocked into embracing the new privatised system, simply because they were left with no other option. I demonstrated that the complete opposite effect took place, the Iraqis resorted to taking their own lives, in a resistance against the occupiers and their agenda. This eventually spread like an epidemic, to the point where the intended fertile ground for capitalism became a place where private firms could not operate and were forced to leave. I illustrated how the insurgency that began in 2003 as a result of the US decisions to select the IGC went all the way until 2018. ISIS started in Iraq through the Sunnis who were marginalised and felt they did not belong to their state anymore. All this does not mean it was complete failure for US elite interests. The US elite interests were still served, as US firms were able to bring back most of the tax-payer money that went to rebuilding Iraq, through US firms acquiring most of the contracts.

I displayed how decision makers made huge profits from the Iraq War. One of which was Cheney, who had publicly left as CEO of Halliburton to be Bush's Vice President, but in reality, he had not actually left Halliburton. I exposed the fact that he still had interests in the company and benefitted financially from the Iraq War. This was through the shares that he held in Halliburton, clearly creating a conflict of interest. In addition, other names from our profiled elites such as James Baker made a fortune from Iraq, as did our constitution writing assistant to the Kurds, Peter Galbraith.

I therefore established that the war was not a total failure for US interests, although the human experiment in capitalism transformation failed, a new market that clearly testified that war was profitable for private contracting firms emerged. Historically, stability through democratic regimes that separated the economy from politics was profitable, as the US instigated the process and maintained a profitable presence by cementing its own corporations in a transformed subject

nation. I proved that this was no longer the most profitable method of operation. Instead, the Iraq War verified that chaos, calamity and continued unrest is the perfect formula for profit, as it creates a need market for corporations to come and 'sort it out.' I therefore, exhibited how the interests of corporate US were served, as the majority of the Iraq rebuilding budget that came from the US, went back to US corporations and therefore the US economy. I made it clear that it was no co-incidence that after the Iraq War, upheaval and civil war in the Middle-East spread in ways that were seemingly inexorable, but as long as fires need extinguishing and sovereign governments cannot deal with it, then the US transnational corporations will always have a role to play.

I therefore concluded this section with evidence that the US did not serve the interests of the Iraqi people in the decisions they took, instead it was the interests of corporations that clearly prevailed in the end. Almost every decision the US and the CPA took had major detrimental effects. I gave evidence to US officials stating that any nation would naturally react the same way that the Iraqis did, regarding the insurgency. But this did not matter, the main goals of maximising profits back to the homeland and creating jobs for the US corporations was a worthy outcome. This chapter, along with chapter 4 (constitution making) testifies that in terms of whether the Iraq war was **a case of elites who used democracy promotion as a cover for serving their own interests**. However, the most important question is: did the means justify the ends? Did the US leave a functioning democracy that protected the rights of all Iraqis?

Legacy of Democracy (Chapter six)

I used elite theory to explain how a key legacy of the US intervention was the domination of Iraq's political system by Iraqi elites that the US had worked with before the war. These Iraqi elites are divided based on sect, ethnicity and religion, but united in dominating Iraq through sharing key ministerial positions that control budgets from its natural resources. As US elite decision-makers benefitted directly from the war and occupation, great detriment was bought to Iraqis who were left with a new authoritarianism.

After examining the democracy in central Iraq, I explained with evidence that the constitution had comprehensively failed. Its ambiguity has been abused, and its lack of provisions and sectarian divisions were manipulated. The democracy in Iraq was similar to the rest of what Iraq went through post the 2003 war; severe neglect, extreme overlooking; and further cases of omissions to effectively assist, by those who decided to invade, occupy and eventually leave. The system left in Iraq was not only unconstitutional, undemocratic and extremely flawed in procedure, its failure

was inevitable. Iraq's failure was a destiny that was set by the constitution of 2005. The poorly written document, that was rushed, divisive and illegal (as the chapter on the making of the constitution illustrated), witnessed the same theme in the democracy it gave birth to.

The political system of Iraq that was decided based on sect, was an actuality that was consistent in US (and even British) imperial history known as the famous 'divide and conquer' strategy. I demonstrated that deciding positions based on sect and ethnicity, meant that uneducated, unqualified and prone to be corrupt individuals took key posts that effected the Iraqi population. Numerous factors combined to impact Iraq's failing system. Poor decision-makers who were recruited through nepotistic means, the already difficult and poor living conditions in Iraq, the further deterioration of public services, and the marginalisation of Sunnis for over 11 years, eventually led to ISIS. The fact that constitutionally everything mentioned above was able to take place with little or minimal accountability signified great danger for Iraq's future and highlights a potential need for the reproduction of the constitution.

I also illustrated how the federal system, and the ambiguity of regional powers in line with central government had caused an unaccountable, ruthless and very manipulative political class of two majority ruling parties in the Kurdish Region. Both the Kurdish Regional Government and the Central Government of Iraq blocked, manipulated, and regulated political opposition. I established that this was against the principles of democracy. The fact that in 2017, the Kurdish Region of Iraq, after 14 failed years of dialogue, held a referendum for nationhood through separating from Iraq permanently, indicated the failure of the federal system. Assumed unity through sect participation has caused a paralysis in the development in Iraqi politics, as politicians were not competing to advance the nation, instead they were engaged in sectarian warfare.

Freedom of speech, for the civilian population and journalists was non-existent. I identified those who objected and how they were targeted and often killed. I concluded that the democracy in Iraq is one that exists only in theory. Even the theoretical side of how the nation is to be run is also questionable.

The 2003 Iraq War and occupation was a case of US elite decision-makers serving their own interests using democracy promotion as a cover

Therefore, the US promise of bringing democracy and freedom to Iraq failed. The US did not act democratically in Iraq, the US left a failed democracy in Iraq and the US effectively served its own interests in the Iraq War, and the Iraqi people were effectively left worse off. The fact was that the beneficiaries of the Iraq War were US corporations, constitution making was flawed, and the

US left a failed democracy in Iraq. Based on these mentioned factors, as per the evidence from this study, I have demonstrated that the 2003 Iraq War and occupation was an example of US elites using democracy promotion as a cover for serving their own interests.

Democracy Promotion – A legacy destroyed

Tony Smith examined the notion that the US was solely *"on a mission to promote universal salvation through democratic government, not only for the sake of foreign peoples but for the purpose of our national security and world peace as well."*[1] Smith made it clear that chaos would stand in the way of nations who had democracy and human rights promised to them, only for it to be a cover, and that the US could risk ethno-religious fears turning into rage and violence in such nations.[2] This was particularly important for the Middle-East as the experience of foreign intervention historically had been made strictly for 'self-interested gain.'[3] The Middle-East did not historically have positive exposure to US power, to an extent that made them see the US as liberators as opposed to conquerors, and there was no evidence of a likelihood of the Middle-East transforming so easily and willingly.[4] On the same token Smith asked, could it not occur that in the efforts of replacing the dictatorship with democracy, instead *"a populist, militarist, nationalist neofascism could instead emerge rather than a liberal constitutional order friendly to American interests and values?"*[5] It was clear that invading Iraq was imperial hubris, as there was unrivalled power at the time of the invasion, Hans Blix had found no weapons of mass destruction and the US had a 'self-righteous, self-serving, and self-blinding assurance' that it had a master plan to remake foreign domestic orders to a worlds international system.[6] The pact with the devil as Smith calls it was the 'Bush Doctrine,' which sought to exploit the unrivalled military superiority and ideological primacy of market capitalism, liberal democracy and globalisation to dominate the international system for generations to come.[7] However, there is a problem, the quest for world supremacy and bringing world history under US control, involved betrayal of the US promise, it was an overplay of the hand that it had, and a gamble with fate.[8]

The result of this gamble was a major drawback not only for the US, but any future missions of spreading human rights and democracy to advance the world towards human betterment.

[1] Smith, T. (2007) *A pact with the devil: Washington's bid for world supremacy and the betrayal of the American promise*, Routledge, London New York, p.ix.
[2] Ibid, p.x.
[3] Ibid.
[4] Ibid.
[5] Ibid.
[6] Ibid, p.xi.
[7] Ibid, p.xvi.
[8] Ibid.

Therefore, a noble idea was tainted.[9] My study illustrated how the Bush elite effectively destroyed the credibility of such attempts in the future, and also caused a global distrust in governments who intervene, causing questioning and suspicion regarding every intervention in the future. I will provide some analysis on the impact of the Iraq War on US credibility in the Middle-East in the future.

Implications and lessons for the US in Iraq and the Middle-East in the future

Without spending a great deal of time comparing the Middle-East before and after the Iraq War, it is worth noting a few important points regarding the lessons and the new power-dimensions in the region. It can be stated that the US invasion and occupation that aimed to bring democracy, stability and security to the region by making the US and the world safer from threats arising from the Middle-East, have effectively failed.[10] Instead, the US failure in Iraq has contributed to further 'instability, insecurity, the breakdown of the regional order, and the emergence of ISIS.'[11]

There is one fundamental lesson from the Iraq War – the US lost. This lesson is the most important as the costs that came as a result are difficult to reverse or settle. The stated purpose of the war was to eliminate Saddam Hussein's weapons of mass destruction, the case prevailed that he did not have any. The rationale of the war then became the creation of a free-market, pro-US democracy, this also did not occur. Instead the Iraq War cost more than $1 trillion, made Iran a prominent and popular force in Iraq and the Middle-East, and made the US a much less popular nation around the world.[12] The consequences of these factors will briefly be examined below.

US Reputation

The fact that the US failed to provide security despite a troop increase in Iraq during the occupation, created a view by many in the region that a physical US presence is no longer a means of sanctuary, highlighting US weakness and failure in delivering its promise: *"When we recall that the Green Zone in the Iraqi capital Baghdad is bombarded continuously every day despite being the area with the greatest protection from U.S. forces, and we recall the walls that were erected in order to divide Baghdad's neighbourhoods from one another, and in addition to that the doubling*

[9] Ibid, p.xvii.
[10] Khan, M. (2018) Five American perspectives on Islam: An analytical guide. *Special Report 01. Center for global policy*. pp.2-3.
[11] Ibid.
[12] Walt, S. (2012) Top 10 Lessons of the Iraq War *Foreign Policy* Available from: http://foreignpolicy.com/2012/03/20/top-10-lessons-of-the-iraq-war-2/ (Date accessed 10th February 2018).

of security check-points . . . then this does not mean progress in security but in fact means a deterioration in security."[13]

The reputation of the US in its failure to protect in Iraq, was further highlighted in Lebanon, during Hezbollah's show of force in Beirut in 2008: *"Since the outbreak of the Lebanese internal crisis, the Lebanese political forces have been divided between two camps. One did not hide its alliance with the United States while the other aligned with Iran and Syria. . . . In the moment the crisis exploded, the United States was unable to protect its friends and left them completely exposed in the face of the sudden attack launched by Hezbollah and its allies*."[14]

The views on the US and their favourability ratings in Asia and the Middle-East declined heavily since the 2003 Iraq War, which was measured through public opinion polls.[15] The declining confidence in the US being able to ensure regional security and stability has created scope for multi-polarity in the region. Although many nations have become influential in Iraq, China and Iran are noteworthy. Regarding China, who imports half of Iraq's oil exports, Charles Freeman declared:

"The Arabs see a partner who will buy their oil without demanding that they accept a foreign ideology, abandon their way of life, or make other choices they'd rather avoid. They see a country that is far away and has no imperial agenda in their region but which is internationally influential and likely in time to be militarily powerful. They see a place to exchange their portraits of little green dead Americans for things they can unwrap and enjoy. They see a country that unreservedly welcomes their investments and is grateful for the jobs these create. They see a major civilization that seems determined to build a partnership with them, does not insult their religion or their way of life, values its reputation as a reliable supplier too much to engage in the promiscuous application of sanctions or other coercive measures, and has no habit of bombing or invading other countries to whose policies it objects. In short, the Arabs see the Chinese as pretty much like Americans — that is, Americans as we used to be before we decided to experiment with diplomacy-free foreign policy, hit-and-run democratization, compassionate — can't make out the word — colonialism, — "compassionate colonialism," that's it — and other "neocon" conceits of

[13] Awad, M. (2008) "Burkan bila Nihaya fi-l-'Iraq (Translates to: "A Volcano Without End in Iraq") Dar al-Hayat (in Arabic). *Iraq Shabab* Available from: http://www.iraqshabab.net/index.php?option=com_content&task=view&id=1609 &Itemid=39 (Date accessed 10th February 2018).
[14] Nafi'a, B. (2008) "Taraju'a al-Dawr al-Amiriki fi al-Mintaqa La Tuqalil min Makhatir al-Harb (Translates to: "A Retreat in the American Role in the Region Does Not Diminish the Threat of War") *Al-'Asr (in Arabic)* Available from: http://alasr.ws/category/view/27 (Date accessed 10th February 2018).
[15] Pew Global Attitudes Project (2007) America's Image in the World: Findings from the Pew Global Attitudes Project *Washington, D.C.: Pew Research Center.* Available from: http://www.pewglobal.org/2007/03/14/americas-image-in-the-world-findings-from-the-pew-global-attitudes-project/ (Date accessed 10th February 2018).

the age. And they see a chance to rebalance their international relationships to offset their longstanding overdependence on the United States."[16]

Therefore, from an economic standpoint, the reliance on China has also created a presence within Iraq for the Chinese, where they play a fundamental role in rebuilding and creating infrastructure. The only issue for the US is that the Chinese are also close to Iran.

The Iraq War was seen to have weakened and drained the US resources. This factor, coupled with a reputation of failure to bring stability, security and protection, meant that a prominent position of authority was created for Iran in the region.[17] It was from the spread of such narratives that lead to commentators openly respecting Iran in the region, with its development of nuclear weaponry and ever growing dominance in Iraq: "*Iraq has become a theatre for Iran to settle scores with the United States and to increase the periphery of its power and its presence in the region, to play the role of the principal authority in the region, and to take hold of the trump cards, from Western Afghanistan to southern Iraq and from Yemen to the Persian Gulf."*[18] In a 2008 poll by Shibley Telhami, entitled '2008 Arab Public Opinion Poll,' Egypt, Jordan, Lebanon, Morocco, Saudi Arabia and the United Arab Emirates were the polled nations. In the polls, 81 percent of the respondents believed that Iraqis were worse off after the war, 83 percent had an 'unfavourable' view towards the US, with 71 percent having 'no confidence' in the US.[19]

The no longer reputable and reliable US in the eyes of Iraqi decision makers, and the dominance of Iran within Iraq was personified in the fight against ISIS in 2014. When the Iraqi Army fled from key cities of Mosul and Kirkuk, it was Iran's elite guard[20] known as the 'Popular Mobilization Forces' (PMF) who were relied upon and eventually stepped in to secure Iraq, with over 60,000 troops being deployed.[21] Although the Iranian PMF liberated Iraq from ISIS, when the same force was used to secure Iraq's borders after the Kurdish referendum for independence, many viewed the force as counterproductive to Iraqi unity, as cases occurred where they were destructive and

[16] Freeman, C. (2006) "The Arabs Take a Chinese Wife: Sino-Arab Relations in the Decade to Come," Remarks to the World Affairs Council of Northern California. *Middle East Policy Council* Available from: https://www.mepc.org/speeches/arabs-take-chinese-wife-sino-arab-relations-decade-come (Date accessed 10th February 2018).
[17] Al-Rukabi, Z. (2008) "al-Natija: Kharab al-'Iraq wa Khidmat al-Iran wa Tadahur al-Iqtisad al-Amiriki (Translates to: "The Result: The Destruction of Iraq, Service to Iran, and the Decline of the American Economy") *Asharq Al-Awsat* Available from http://www.asharqalawsat.com/leader.asp?section=3&article=463732&issueno=10707 (Date accessed 10th February 2018).
[18] Al-Shaiji, A. (2008) "al-'Iraq wa Amn Mintaqat al-Khalij al-'Arabi: Tada'iyat al-Wadh'a al-Amni fi al-'Iraq 'ala Majlis al-Ta'awin al-Khaliji (Translates to: "Iraq and the Security of the Arab Gulf Region: Consequences of the Security Situation in Iraq on the Gulf Cooperation Council States") *Arab Journal of Political Science (in Arabic), No. 18, Spring 2008*, p.152.
[19] Telhami, S. (2008) "2008 Arab Public Opinion Poll: Survey of the Anwar Sadat Chair for Peace and Development at the University of Maryland (with Zogby International)" *The Brookings Institution* Available from: http://www.brookings.edu/topics/~/media/Files/events/2008/0414_middle_east/0414_middle_east_telhami.pdf (Date accessed 10th February 2018).
[20] Dehghanpisheh, B. (2014) Iran's elite Guards fighting in Iraq to push back Islamic State. *Reuters* Available from: https://www.reuters.com/article/us-iraq-security-iran-insight/irans-elite-guards-fighting-in-iraq-to-push-back-islamic-state-idUSKBN0G30GE20140803 (Date accessed 10th February 2018).
[21] Mansour, R. & Jabar, F. (2017) The Popular Mobilization Forces and Iraq's Future. *The Carnegie Middle East Center* Available from: http://carnegie-mec.org/2017/04/28/popular-mobilization-forces-and-iraq-s-future-pub-68810 (Date accessed 10th February 2018).

violent in Sunni and Kurdish areas of Iraq.[22] This was because the same forces that were sent to secure Iraq's borders had their own agendas. This was illustrated as they carried religious flags associated with Shiite Islam and Iran, which forced thousands of Iraqi Sunnis and Kurds into displacement.

Does the US have a future in Iraq and the Middle-East?

When considering the future of the US in the region, there is a strong case that the US will struggle to have the same scope and authority it once enjoyed prior to the Iraq War of 2003, not just in the Middle-East, but also the world. The Iraq War was considered a failure; the reputation of the US is tarnished, and as mentioned; initiatives such as democracy promotion and freedom are no longer considered credible or noble. The only other role for the US to play in the region was to provide security and stability, however, as mentioned; Iran is more credible and favoured as per the current cases in Lebanon, Syria, Yemen, and Iraq.

Iran has become a force that will continue to prevent the US from entering the region as a dominant force, as long as it remains as powerful as it currently is. Iran now has strong influence from the borders of NATO to the borders of Israel, commanding loyalties of tens of thousands of allied militias and proxy armies who are fighting in Syria, Iraq and Yemen.[23] As Nicholas Heras of the Center for a New American Security stated; *"In order to confront Iran or push back more fiercely against it, you may find you're in a conflict far more far-reaching and more destructive to the global economy than many of our allies or American public are willing to bear."*[24]

Suggestions for Iraq's future

I strongly believe that in order for Iraq to really move forward, it needs to re-visit the place where the deceptions on the ground first took place; the 2005 Constitution of Iraq. Since the new constitution of 2005, Iraq has seen nothing but corruption, bloodshed, insecurity, and most instrumentally, a division that has crippled its progress. Iraq needs to go back to 2005 and think about the re-writing of the constitution by fairly elected Iraqis from all sects and ethnicities, in order for Iraq to establish a unified national identity. Otherwise Iraq is divided by religious sects and ethnicities, a phenomenon that was introduced by the US in 2003. It is clear that the re-writing of the constitution will require a huge effort and may be deemed impossible by many.

[22] Nouri, B. (2017) Iraq's Rushed and Divisive Constitution Was Always Doomed to Fail *The Conversation* Available from: https://theconversation.com/iraqs-rushed-and-divisive-constitution-was-always-doomed-to-fail-85026 (Date accessed 10th February 2018).
[23] Sly, L. & Loveday, M. (2017) Trump wants to push back against Iran, but Iran is now more powerful than ever *Washington Post* Available from: https://www.washingtonpost.com/world/middle_east/trump-wants-to-push-back-against-iran-but-iran-is-now-more-powerful-than-ever/2017/02/05/9a7629ac-e960-11e6-903d-9b11ed7d8d2a_story.html?utm_term=.1473f6405125 (Date accessed 10th February 2018).
[24] Ibid.

However, realistically the existence of Iraq as it stands is counter-productive to a socially just and politically democratic future.

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